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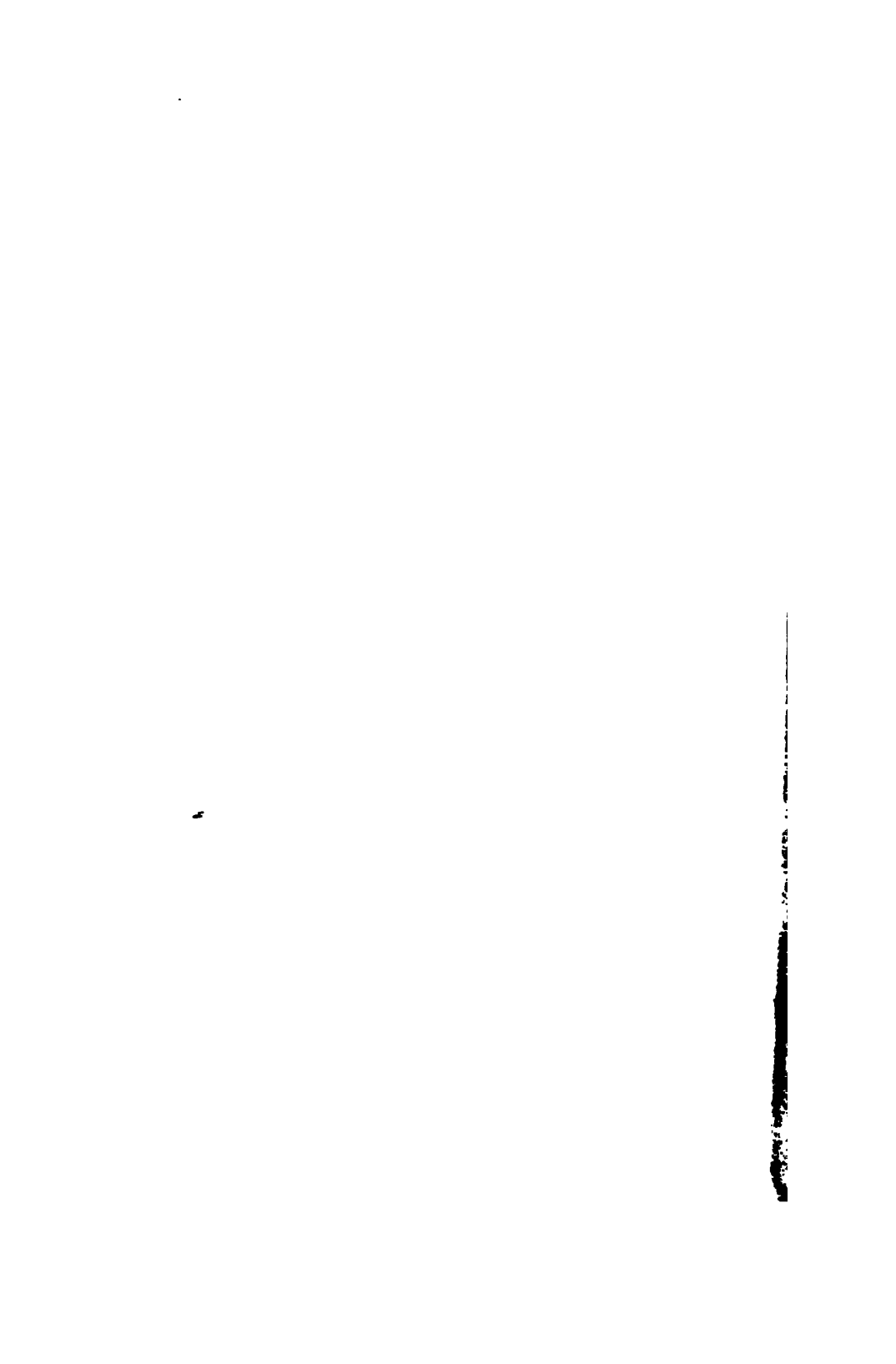
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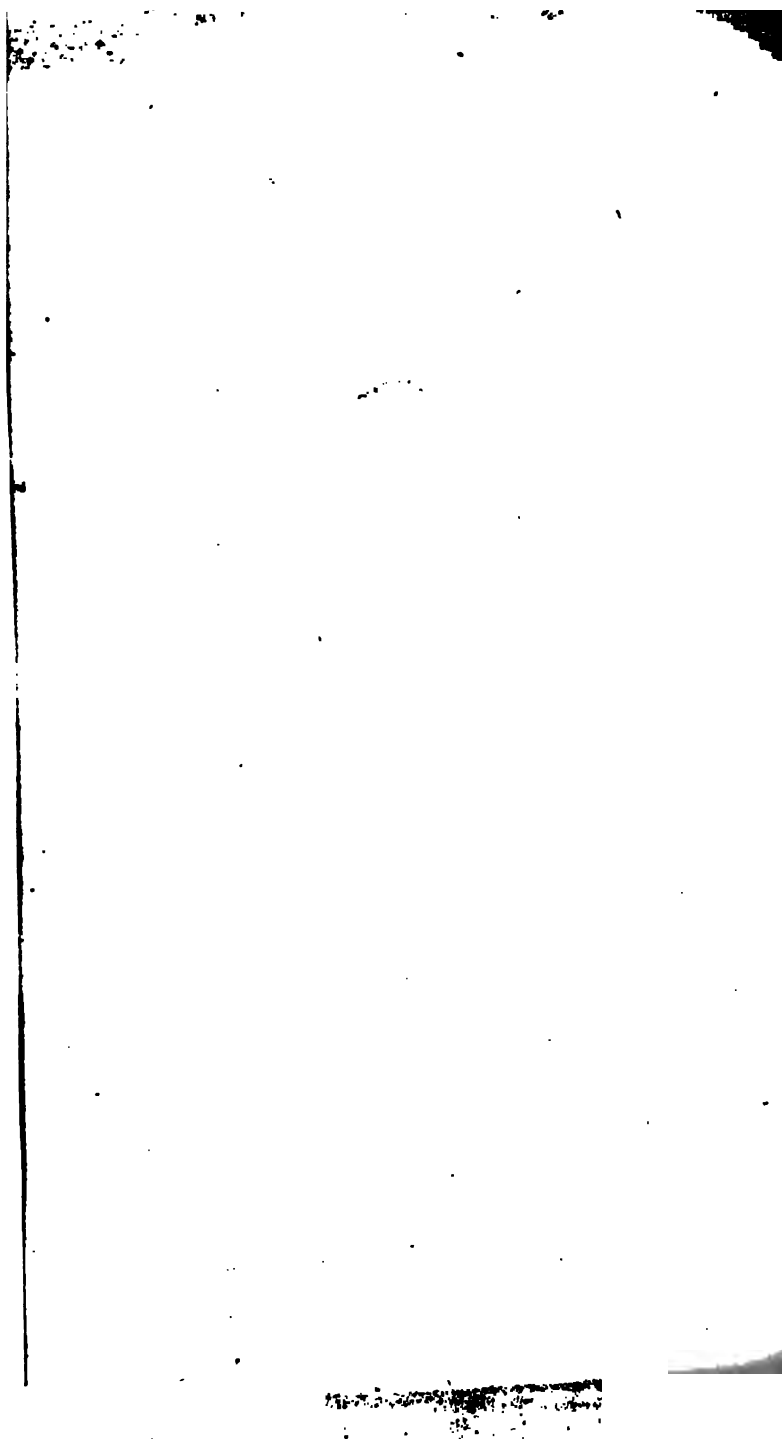




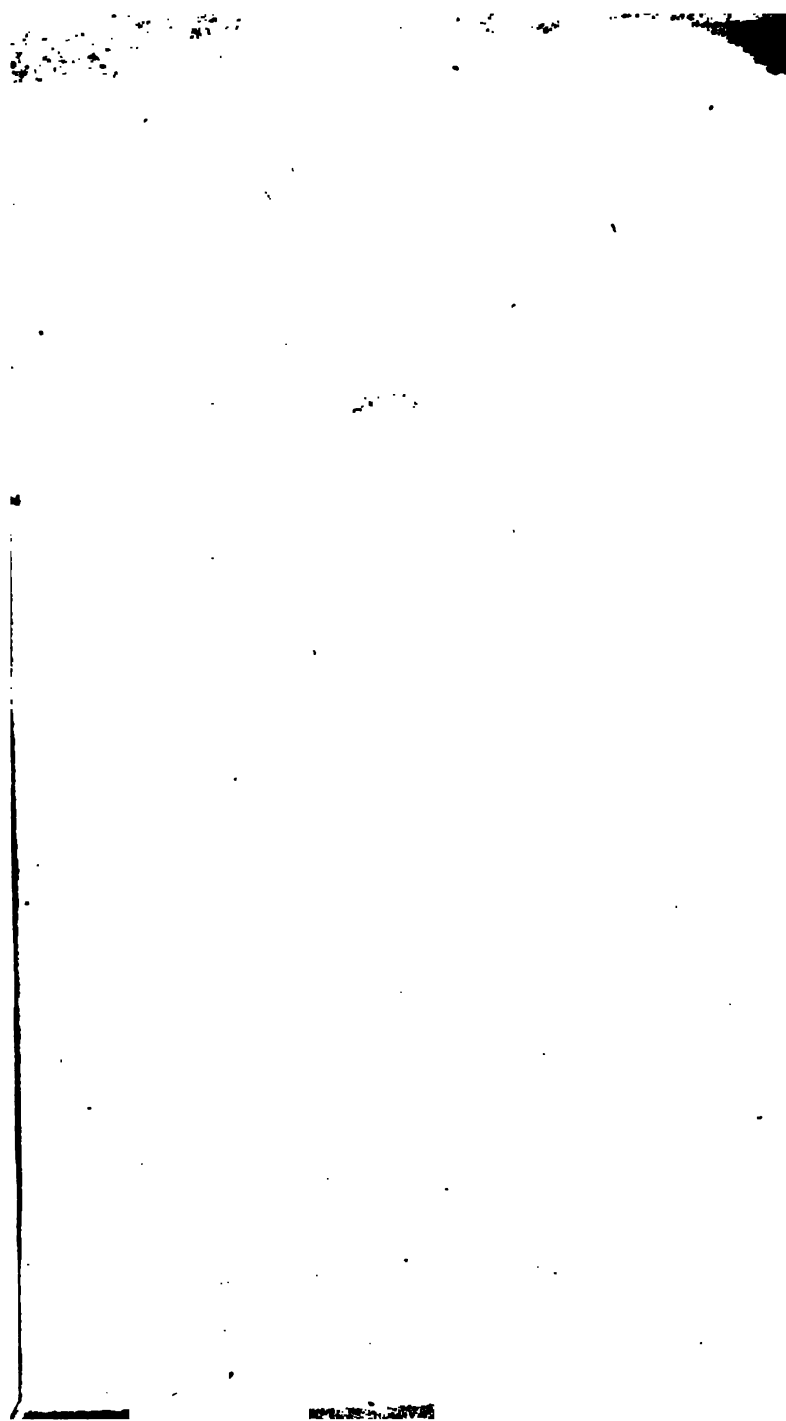




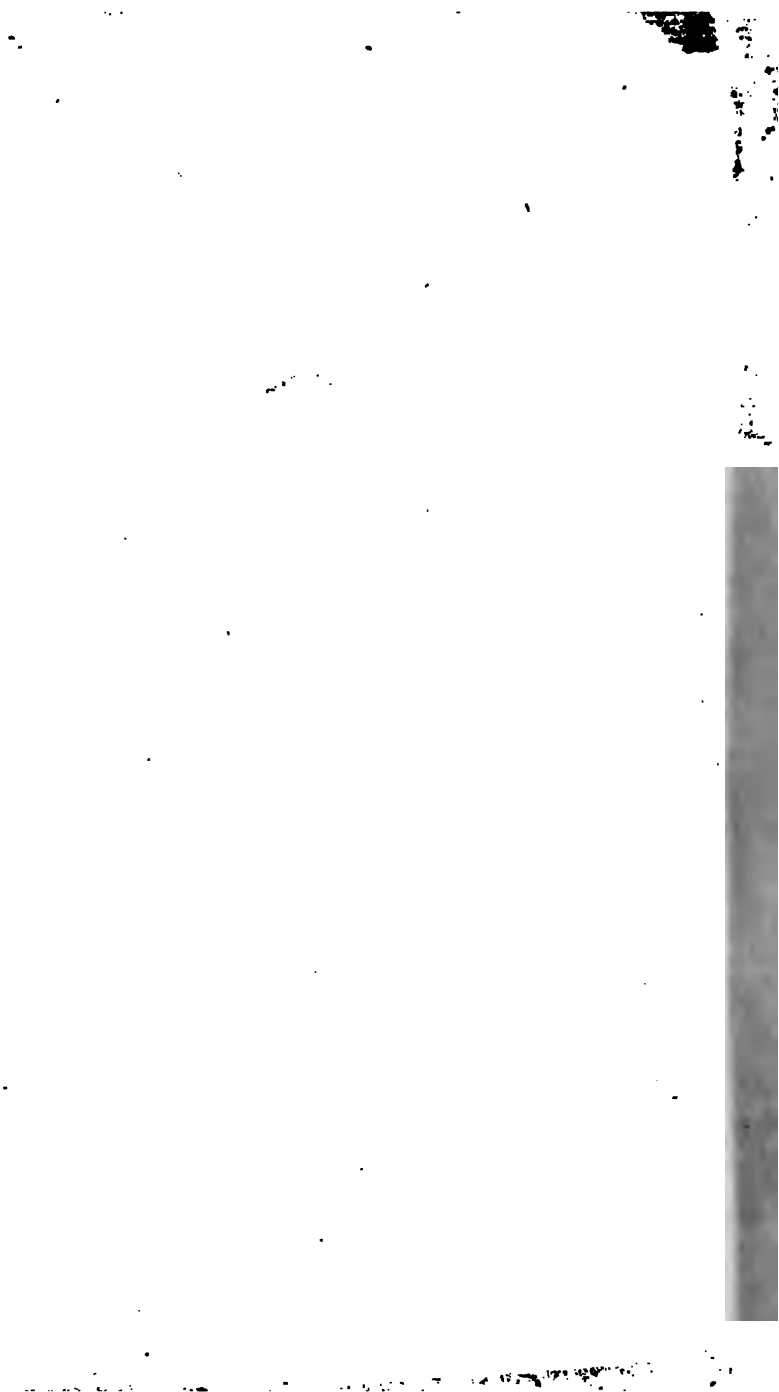












October 1st

OF THE  
USE and ABUSE

*B* — OF *Deck*  
PARLIAMENTS;

*may* In Two *1746*

HISTORICAL DISCOURSES,

VIZ.

I. A General View of Government in *Europe*.

II. A Detection of the Parliaments of *England*,

from the YEAR 1660.

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IN TWO VOLUMES.

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ENGLAND can never be Undone but by a PARLIAMENT.

*A Maxim of the great Lord BURLEIGH's.*

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VOL. I.

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L O N D O N:

Printed in the Year, 1744.

*226. j. 29.*





TO  
The Serious Consideration  
OF THE  
People of ENGLAND;  
These DISCOURSES  
ON THE  
USE and ABUSE of Parliaments,  
ARE,  
In the most earnest and affectionate Manner,  
Recommended;  
That ALL may know the TRUTH;  
And that the TRUTH may make us FREE.

---

## Advertisement.

**A***S an Act of Justice to the Memory of a great Man, it is necessary to acquaint the Reader, That he stands indebted for the first of the following Discourses, to the celebrated Algernon Sydney, Esq;*

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A  
GENERAL VIEW  
OF  
GOVERNMENT  
In EUROPE.

---

INTRODUCTION,

S I R,

**S**EE the effect of your Commands,  
The want of Time, of Books, and  
Assistance in this my Retirement,  
make me very incapable of the  
Undertaking: But my Obedience and  
Performance with a Kid, will I hope be  
accepted, when I cannot sacrifice an hundred Bulls.

Without farther Ceremony or Introduction, according to my Apprehension,  
when we enquire into the Authority and  
B Nature

Nature of Parliaments, our Thoughts should be raised above all Prejudice and Particularities; we should not conceive of them, as of some Creature, form'd and nourish'd under this or that Constitution, but have a Notion as large and general, as is that of Government or Civil-Society.

We must not be confin'd to the Writers of this or that Age, or Country; but consult the universal Reason and Sense of human kind, where Civil Government has been exercised.

Much less is any particular Profession or Faction of Writers, to be the only Authors of Credit with us, in this Enquiry.

Our Knowledge must be something digested; and an impartial Result from a Consideration of all as, well Times and Countries, as Writers and Customs.

The Civilians, with their *Bartolus* and *Baldus*, are not to dictate to us on this Occasion. These were bred out of the Corruption of the *Roman* Liberty; and were Instruments of Servitude from the Beginning. Their Work was, by hook and crook, to rap and bring all under the Emperor's Power; that was their Study, that their Province. But they were always ignorant of the Practices of better Times, and utter Strangers to the just Rights of a Free-People; their Rules  
and

## *Government in Europe.* 3

and their Maxims were, in effect, no other, than so many Stripes, so many Marks, and items of Slavery to the Subjects.

Then, for the Municipal Lawyers of every Nation, they also are educated under too narrow a Dispensation to think justly in these matters.

The Letter is the Sphere where they show their Activity, even, sometimes, to the perverting and turning it against the Reason and Intentions of the Legislator.

Their small Niceties, and their Subtleties, and their Inferences, are too fine drawn to bear or support a Matter of this Weight and Circumference.

Their Deductions and Argumentations must ever be taken with some Grains of Allowance; the Cause here requires other Forms and Considerations. We are not to stick at the Letter, but go to the Foundation, to the Inside and Essence of things.

By their Acquaintance with the Customs and Laws, they may aid and direct, but not over-rule; they may apply their Observations to strengthen the Fundamental Reason, but are not to perplex and subvert the Form of Government.

My Lord *Cook* tells us, Parliament is derived from *Parler le ment*, i. e. from speaking the mind. He might as honestly have

taught us that Firmament is *firma mentis*, a Firm for the Mind; or Fundament, the Bottom of the Mind.

My Lord *Cook*, how sage soever otherwise, in Parliament-House is no more Authority than *Thomas Aquinas*.

And take him from his ordinary Element, his Reasons are many Times as ridiculous as his Etymologies.

Then for the Holy Scripture; the Design of it is no more to teach us Politics, than to make us Philosophers.

*Abaz's* Dial is no Precedent for our time or Measures; nor may the *Theocracy* of the *Jews* authorize us to set up for King *Jesus*.

Our blessed Saviour did not distinguish whether *Cæsar* demanded Tribute, as Tribune and Servant of the people; nor whether the *Roman* Empire remained still Democratical, (as *Cæsar* pretended) or was Monarchical, as, in effect, it prov'd.

The Holy Ghost neither alter'd the Completion, nor refin'd the Education; but a Shepherd, notwithstanding the Oracles he delivered, continued the same in other circumstances, as if he never had been inspir'd.

In like manner, where-ever *Christ* is preached, the Soul-saving Doctrine in no  
wife

## ***Government in Europe.*** 5

wise operates upon the Policy or civil Constitutions; but leaves those Affairs to be influenc'd by the ordinary Prudence and Discretion.

Whether therefore, it be some particular generosity in our Nature, that renders us impatient of Slavery: or whether the Temperateness of the Climate inclines us to a Moderation in our Government: Or whether it may be some favourable Aspect of the Planets, (as *Ptolomy* would persuade us) that disposes *Europe* to the Love of Liberty;

So far as any Record or History can inform us, That Arbitrary and unlimited Domination, so familiar in the Eastern Parts of the World, amongst us did always shew uncouth, and to be stared upon no less than their Elephants; And indeed to us seem altogether inconsistent with a civil People.

And it can be no more the Business of the Gospel to reconcile us to that Yoke, than it is to emasculate our Complexion and Nature, to change the Temper of our Climate, or to turn our Stars from their Course,



## S E C T. I.

*Of the Origine, Power and Antiquity of  
Parliaments.*

**A**LL Power is from God, and we are to be subject to the Higher Powers; this all consent to; this is Doctrine alike true in *Holland*, as in *France*, at *Venice*, as at *Constantinople*.

But where this High Power and Sovereignty rests, in whom 'tis lodged, this is a point not so obvious: Nor can the S. S. or holy Fathers any way help us in the Discovery.

The Customs and particular Laws of every Nation, are only capable to direct us in that Scrutiny.

Obedience is as much a Duty, and Rebellion as black a Sin where the people are King, as where a single-Person has the Sovereign Sway.

The Title of King, Monarch, or Emperor, the Scepter, the Crown, the Royal Throne, with all the Robes and Pumps, and Badges of Sovereignty, and the Precedency before other Christian Kings, have the shadow of Majesty, but have none of the Substance, as *Bodin* truly observes.

The

The *Cæsars* were never so absolute, as when the Senate had the Shew, and the Name of all: But afterwards when their Power declin'd, then did their Shadows lengthen, and their Titles swell beyond all Sobriety and Proportion.

The *French* Parliaments in their Scarlet Robes, know none of that Sovereign-Power which their plain Ancestors so long had exercis'd in their grey Jackets.

The Pontificalibus and Formality, derogates from the Antiquity and Independency: And our House of Commons may seem in a manner, (if I may so say) to have committed some kind of Solecism, in taking a Mace to be carried before them, but that their Simplicity and Plainness otherwise sufficiently demonstrates them the true, sincere, original, fundamental, Common-Council, constituted and form'd before Forms and Pageantries and Fopperies obtain'd in our *English* World.

For Badge and Ornament they had *Jupiter's* Sceptre; which *Plato* interprets to be, not a tipt Batoon, or glittering, engraven Thing, but the Laws and Legislative Power.

*Homer* has taught the World to call Kings Pastors of the People. We commit not the charge of our Cattle to any one of the Herd, nor for our Sheep do we chuse one

out of the Flock to be their Shepherd; but set over them a more excellent sort of Animal; some Man is appointed for the Neatherd, and for the Shepherd, to govern and take the charge of them.

Now since for the Conduct and Sway over men, the World is not furnish'd with any Species more noble than Man, Art supplies what wanted in Nature; an artificial Man is fram'd a politic Creature, a King that never dies, that can do no wrong, that cannot be deceived, whose Councils and Determinations are the Result of the joint Experience and Wisdom of a whole Nation.

Now, whether this artificial Creature, may be call'd a mixt Sort of Government, as the Antients imagin'd; Or that it be originally, essentially, and fundamentally a Democracy, Monarchical in the Administration, as *Bodin* and our Modern Politicians seem to understand; This certainly is the Government that always has obtain'd in *Europe*; and that which all, amidst their Commotions, Distractions, and Convulsions, in some manner or other, with more or less Success and Perfection, have tended to, as their Center, and only Place of Rest.

If therefore the Jews had desired a King after the manner of the *Europeans*, their Importunity peradventure might not have been

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been so provoking to the Almighty: And we should have found another kind of Catalogue of their fair Qualities, than that delivered us by the Prophet: For, however their *Asian* or *African* Neighbours might have domineer'd it, and bluster'd, a calmer Gale was always wont to breathe amongst us in *Europe*; and, God be thank'd, we are many degrees Northern Latitude from *Og* the King of *Bashan*, and the Lands of those other Gyants, *Amalekites*, and *Philistines*.

The first Writers amongst us had their Imaginations so over-born with the Excellency of Kingly Government, that they fancied in Heaven *Jupiter* to be the King of the Gods: And yet they thought the Common Council so necessary and essential, that *Homer* represents even *Jupiter*, upon a great occasion, calling his *Θεῶν ἀγορὴν*, his Parliament of the Gods.

Ζεὺς ὃ θεῶν ἀγορὴν ποιῆσαι τερπικέλευσεν.  
Ἀκροτάτη κορυφῇ πολυδαιμόδος ἐλύμπιοι.

I have heard Divines observe something of this kind, as figured of God Almighty from those words, *Let us make Man*: Those Words in the plural Number to them seemed to import, as if God summon'd a Parliament  
of

of the Trinity, to consult upon that arduous  
Affair.

Our Christian Poets have taken the same  
Liberty, and fancied this, as an Image of  
Greatness, where could be no Accession to  
the Wisdom and Omnipotence.

But again, *Homer* (whom *Plato* in his  
Book of Laws, mentions as a Prophet, and  
one who reveals those things concerning  
Government, by Inspiration, which are not  
by human Knowledge to be attain'd) to shew  
the utmost Inhumanity and Barbarity of the  
*Cyclopes* and their Government, tells us,  
*They neither held Parliaments for Council,*  
*nor bad Right.*

Τοῖσιν ἂν ἄγορα βουλευόμεναι, ἔδῃ δ' ἔμμεναι.

He joins Parliament and Right, as of  
late days *Guicciardine* does Parliament and  
Liberty; as if Parliament, Right, and  
Liberty, were to stand and fall together.

And indeed amongst the *Greeks*, how  
many Persons, excellent otherwise, have  
been branded for Tyrants and Monsters, and  
made odious to all Posterity, because they  
affected a more singular and unbounded  
Power than was consistent with the Customs  
and Constitutions of their Country?

- Nor

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Nor was this Policy less known or practis'd by the *Latins*. None of the antient Kings of *Italy* or *Rome* exercis'd other Government than by Parliament, till *Tarquin* the Proud with much Stratagem and Artifice attempted a new Way: But how fatal did he find that innovation?

Afterwards that the *Cæsars* usurped the Empire, when their power was the highest, they affected to have all done in the name of the People and Senate. *Neque tam parvum quicquam, neque tam magnum publici privati-que negotii, de quo non ad Patres Conscriptos referebatur.*

And, notwithstanding the antient Liberty and Government was so run down, yet, on some occasions, the Authority of the Senate would be exerting itself.

They declared *Nero* an Enemy of the State, and their Sentence had its Effect.

Nor could (the Delight of human Kind) *Titus*, though so far engaged in Love and Honour, stem the Authority of the Senate, in favour of his dear *Berenice*: but was forced to dismiss her, because they forbade the Ban.

And in effect, the Power of the Senate once gone, that of the Emperors signified little; the giddy Soldiers broke all Rules and Measures. They mutinied, and made  
and

and unmade Emperors, where, and when, and whom they had a mind to. So that the Emperor was only Tenant at Will to the Army.

## S E C T. II.

*Of the antient Constitution of England, both under the Britons and Saxons.*

Our Botchers of History, shew a jolly Succession of Monarchs on their File for *Britain* in those Days: But *Cæsar's* Commentaries are of much better Credit, who represents the Government of *Gaul* and *Britain*, as muchwhat the same in his time; says he of *Britain*, *Summa Imperii bellicue administrandi Communi Consilio permixta est Cassivellano, &c.* The chief Command and Conduct of the War, was by the Common Council committed to *Cassivellan*. Compare these words with what he writes of the *Gauls*, l. 7. *Re in Controversiam deductâ totius Galliæ Consilium Bibracte indicitur, eodem conveniunt undique frequentes multitudines, suffragiis res permittitur, ad unum omnes Vercingetorigem probant Imperatorem.* Here the Council of all *Gaul*, by reason of the War, put it to the Vote who shall be their General; and it was carried with

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with a *nemine contradicente* for *Vercingetorix*.

And 'tis beyond dispute, that their Government continued the same in the Times of which *Dion Cassius* and *Tacitus* write.

Nor is their Uniformity so strange, considering the Authority of the *Druids*, and their Correspondence in both Nations.

When the *English* and *French* came from *Germany* to people *Britain* and *Gaul*, the *German* Liberty and moderate Sway were transplanted with them; and still the Common Council had the main Stroke in all weighty Affairs; for to that Policy had they also been educated.

The Scheme of the *German* Government appears in these passages of *Tacitus*. *De minoribus rebus Principes consultant, de majoribus Omnes*. In lesser matters the principal men only, in the greatest affairs all consult.

Elsewhere he says of them, *Ubi Rex vel Princeps audiuntur Autoritate suadendi magis quam jubendi potestate*. Where the King or Prince are heard for the Reasons they bring to persuade, rather than for any Authority to command.

Hereby 'tis manifest, that in *Germany* also the people had their share in debating and directing all affairs of moment.

When



When therefore the *French* under *Waramond*, or *Pharamond*, came to settle and mix with the *Gauls*, whatever other Differences might happen, in point of Government they were agreed beforehand, both resting upon the same Basis, the Common Council.

Accordingly in those first Days, we find them making their Kings, and again, upon occasion, unmaking them by general Consent. Hence come these Phrases so frequent in *Aimoinus*, *Sigebert*, *Engenhardus*, and the other Writers of those times. *Consensu Francorum*, *Electione Francorum*, *Secundum Morem Francorum*, *in Regem electus*, &c. On the other hand, *Franci regno deturbant*, *a Francis repudiatur*, *depositus ac detonsus in monasterium detrusus est*, *a Francis in Monachum tonsuratur*, &c. Where we may note, that our Authors intend by their *per Francos*, as much as *per consensum Francorum*, or *secundum morem Francorum*, which is, by the Common Council, and not in any unusual, mutinous, and tumultuous Way, as some might object.

Nor are we to imagine the Government presently altered, so often as we find the Historians varying their Phrase. We must now and then be content with such Words as the Monks of those Times were pleased to

## Government in Europe. 15

to coin for us, and have new barbarous Names for the same old Civil Constitution.

Whether they speak of *Germany*, of the *French*, or of our Nation, they indifferently diversify, and employ for the same common Assembly amongst others, the Appellations and Circumlocutions following.

Sometimes they call it *Curia*, and *Curia Imperialis*, and *Curia Regalis*, *Curia solennis*, *generalis Curia*, *magna Curia*.

*Concelebranda patrum solenni curia cœtu,  
Curia Roncaliis jampridem indicta coiret,*

say their Poets. Which is expressed in the *German Tongue*, by *Hove*, *Königlicher Hove*, *grossen Hoff*.

Elsewhere it is call'd *Congregationes*, which the *Germans* render *Reichsversammlung*.

Sometimes it is call'd *Concilium Principum*, *totius Germaniæ Concilium*, *Concilium generale*. GUNTHER says,

*Concilium Procerum toto de corpore regni  
Convocat.*

And the Monk of *Paderborn*, who liv'd about eight hundred years ago, in his *Annals of Charles the Great*,

*Anno*

*Anno 772.**Et Rex Wormatiam Carolus collegit in urbem,  
Francorum procures ad Concilium generale.**Imperialia Concilia postquam cessavere, omnes pene deformitates introductione sunt, says Cardinal Cusan.**Elsewhere these were called Conventus, Conventus generalis, Conventus publicus, Convenire generaliter populum suum præcepit. Habuit populi sui generalem Conventum. Habitoque juxta Morem Conventu generali. The Monk of Paderborn thus versifies,**Anno 775.**Ad Duriam vicum properant, nam rege jubente,  
Illic Conventus populi generalis habetur.**Elsewhere,**Venit, & ad fontes fluvii cui Lippia nomen,  
Conventum fieri Procerum jussit generalem,**Anno 775.**Publicus in Paderbrunon Conventus habetur.**Most commonly it was called Placitum. Compendii placitum generale habuit. Aimoinus.  
Rex*

Government in Europe. 17

*Rex Pipinus habuit placitum suum in Nivernis*  
Regino, An. 773, and An. 777. *Tenuit placitum in loco qui dicitur Paderbrunnon.*  
Abbas Stadenfis in Chr. An. 811. *Imperator habito placito, &c.* And the aforesaid Monk,

*Anno 770.*

*Conventum placiti generalis habere,*  
*Cum ducibus se velle suis denunciat illic.*

*Regino calls it Synodus. An. 770. Carolus habuit Synodum in Wormatiâ. 771. Habuit Synodum ad Valentinianos. 772. Synodum habuit in Wormatiâ. 775. Habuit Synodum in villâ quæ dicitur Duria. 780. In Lippa Synodum tenuit. Convenerant multi Episcopi, Abbates, &, Principes ad Imperialem Synodum. Trithem. Abb.*

Afterwards in Germany, *Diet* was the Name that generally prevailed, as that of *Parliament* in France and England.

Now these Quotations and Authorities shew, not only that by all this variety of Names were understood the same *Common Council*, but that the *Principes, Proceres, Primores, Duces, Patres, &c.* imported no more in truth, nor signified other manner of Men, than the very same with *Populus.*

C

And

And the same Assembly by one Writer barely called *Populus*, or *Conventus Populi*, is by another stiled *Conventus Procerum*, *Conventus Principum*, &c. which those Terms *secundam morem*, *juxta morem*, *more solenni*, *ut solebat*, more fully demonstrate; which seem to refer and send us back to *Tacitus*, *Consultant de majoribus Omnes*.

This I the rather note, because I find Mr. Petty (amongst many other his excellent Memorials) observing the like in old Records of Parliament, where those somewhere called *Populus*, and *Vulgus*, and the *Commons*, are otherwhiles dignified with the gay Additions of *Noble*, *Most Noble*, *Most Illustrious*, *Most Gracious*, *Seigniors*, *Monseigniors*, and *Sires* the *Commons*;

And likewise for that some unwary and superficial Readers from this Root have propagated and improved many Errors of pernicious Consequence to our antient and fundamental Policy and Government.

The *French*, incorporating and growing one People with the former Inhabitants, had a much easier Province; they settled, and pursued their native Customs and Forms of Government, nor met with that Difficulty and Opposition which in this Nation attended the *English* and *Saxons*. These had a much harder Game to play. These could in no  
wife

wife fix, or find any sure Footing, without first clearing their Way, and driving the Britons up by themselves, into a Corner of the Land.

And after much tumbling and Bustle, we find them formed into a Heptarchy.

How regularly they mov'd as to Civil Affairs, how closely they followed their Country-Customs, or where they innovated and varied from their *German* Forms and Policy, in those dark Times, is hard to be traced.

Some Footsteps however appeared then, which remained to Posterity, as the Division of the Country into *Hundreds*, after the *German* Manner described by *Tacitus*; besides the other Royalties in the People, as that of appointing *Sheriffs*, and chusing Annual Magistrates, the Jurisdiction and Power of Life and Death by our Juries, &c.

And, even before all came united under one Monarch, we find the People interposing their Authority, and (for the Miscarriages of *Queen Edburga*) providing that thereafter, *No Queen shall sit by the King, nor have the Title of Queen, but be called only the King's Wife. Gens itaque occidentalium Saxonum Reginam juxta Regem sedere non patitur, nec etiam Reginam appellari, sed Regis conjugem permittit, &c.* *Asler. Menev. & Malf.* But

I shall not repeat what *Cambden* and *Selden*, and our other Antiquaries have collected on this Occasion; but *Germany* being the Source both of our People and Laws, I chuse rather *petere fontes*: And thence it may be concluded how far we do *stare super vias antiquas*, and continue firm upon the old Bottom.

### S E C T. III.

*Of the German Empire: the Electors; the Encroachments of Cæsar, and the Golden Bull.*

When the People and Senate of *Rome* had transferred all their Right upon *Charles* the Great (or *Charlemagne*, as the *French* call him) and *Germany* was made the Seat of the Western Empire, one might think, if there could be an Opportunity of introducing a new Form of Policy, this was the Time. Yet *Charles*, so victorious, so august, so great, the like in no Age before him or since ever known on this side the *Alps*, notwithstanding all that Power and Fortune, and the Imperial Crown that adorn'd him, his Language was still the high *German*, and his Government did still in the old Parliamentary Way go on and prosper.

Therefore

Therefore we find him every Year with his Parliament. *Eginbardus*, who was his Son-in-law, and Chancellor, says of him. *Rex sic ad publicum populi sui conventum qui annuatim ob regni utilitatem celebrabatur, ire, sic domum redire solebat.* And *Aimoinus*, l. 4. c. 74. *Generalem Conventum quotannis habuit.*

And to these Parliaments, under GOD, so far as human Reason may judge, does *Hincmar* (Archbishop of Rheims, and Chancellor in those Times) ascribe his happy Reign. *Secunda divisio,, qua totius Regni status anteposito, sicut semper, omnipotentis DEI judicio, quantum ad humanam rationem pertinebat, conservari videbatur, hæc est, consuetudo tunc temporis erat, ut non sæpius sed bis in Anno duc placita tenerentur; unum quando ordinabatur status totius Regni ad anni vertentis spacium, quod Ordinatum nullus eventus rerum, nisi summa necessitas, quæ similiter toti Regno incumberebat, mutabat, in quo placito generalitas universorum majorum, tam Clericorum quam Laicorum, conveniebat; alterum cum Senioribus tantum & præcipuis Consiliariis.*

All this seems but a Paraphrase upon the Passage afore-cited out of *Tacitus*, as to the Form of Government: The Princes and Seniors are for the Matters of less Weight;



the former here-mentioned, was the *generale placitum*, which the Germans more particularly call, *Die jabrlicke versamblung*, the yearly Assembly; whose Business (he tells us) was to order the State of the Kingdom.

He shows us likewise how binding these their Ordinances were, and not to be contraven'd unless upon the utmost *Necessity*; not a suggested, invisible, Court-Necessity, but *quæ toti regno incumbibat*, a necessity that lay upon the whole Kingdom.

In effect, the Parliament Ordered, and he Executed their Orders; his Office was the Administration.

Amongst other Particulars, we find him in Parliament adjusting the Matter of Succession, as Eginbard, and the Abbot of Staden, *An. 813.* inform us, of which the Monk of Paderborn, *An. 813.*

*Unde Duces, ac Primores solemniter omnes  
Atque Magistratus, ad Concilium generale  
Undique collegit, Natoque suo Ludovico  
Cunctorum cum consilio jus omne regendi  
Tradidit Imperii, Successoremque paterni  
Imposito designavit Diademate Regni.*

And accordingly his Son Lodowic by general Consent of Parliament did succeed him;  
post

*post mortem patris Aquisgrani summo omnium Francorum consensu administrationem accepit, Anony. An. 814. de reb. gest. Pip. Car. & Lud.*

The same Author tells us, that this *Lodowic, Lotbarium filium Primogenitum consortem Imperii constituere volens, Aquisgrani in conventu, more solito, instituto, eum coronavit.*

In like manner we have the Son of *Arnulph* chosen in Parliament to succeed his Father. *Regino, An. 900. Proceres & optimates ad Forachem congregati Ludovicum filium præfati principis, quem ex legitimo Matrimonio susceperat, Regem super se creant, & Coronatum, regiique ornamentis indutum in fastigio Regni sublimant.*

Nor was this done only out of Formality, and for the greater State and Solemnity on those Occasions; for we sometimes find them refusing to grant what the Emperor labour'd to obtain: Amongst other Instances, we have this last named *Arnolph, An. 894.* attempting to get the Parliament to make his Son *Zundelbolk* King of *Lorrain*. But they would not gratify him. *Filium Zundelbolk, An. 894. Ordinibus Convocatis Regno Lothoraii præficere voluit, minime tamen optimates prædicti Regni eâ vice ad sensum præbuere. Regino, l. 2.* But the next

year after he prevailed, says the same Author: *Anno vero sequenti in conventu Wormatiæ instituto, omnibus adfentientibus id demum obtinuit.*

Hitherto these appear to be the same Germans, *Ubi Rex vel Princeps audiuntur Authoritate suadendi, magis quam jubendi potestate:*

And, seeing that this of Succession, is one of those Points that are of greatest Importance, 'tis strange how the Right of Electing the Emperors came afterwards to be left in so few Hands, and to be settled in the Seven only, who, in course of Time got the Name of *Princes Electors*.

Neither the Occasion, nor the Time when this Custom began, can be discovered. Some would deduce it from *Charles* the Great. Some from *Otbo* the Third, who reigned about the year 990. Others from *Otbo* the Fourth, *An.* 1200. Others again from *Henry* the Second, who was Emperor, *An.* 1001.

From which Uncertainty we may only gather, that the Custom was very Antient: But it is not to be imagined that the other States by any public Act transfered the Right upon those *Seven*.

Amongst the Fallacies and Cheats of State, whereby the rich Men may impose upon the  
the

the poorer Sort, and worm them out of all their Share in the Government, *Aristotle* reckons these: *That it be penal for the Rich to be absent from the Common Councils, to refuse being in Office, to want, or omit the Exercise of Arms, not to serve upon Juries, &c. But the poorer Sort may use their Discretion, it shall not be penal to them; they may chuse whether or no they will be present in Common Council, bear Office, be at the Charge of Arms and Training, be empannell'd upon Juries, &c.* In these Cases this specious Liberty fools and bewitches them: for, so long as no Restraint is upon them, and they are not excluded or slighted, or disrespected any way in the Matter, they rather follow their private Occasions at Home, and the Business of their Family: And thus by degrees insensibly is the Commonwealth and Government changed; And that is effected by Art and Trick, which openly and fairly could never have been brought to pass.

We need not think that the *Germans* were over-reached by any the like Sophistry and deceitful Laws; but 'tis likely, that to Many it was sufficient that it lay in their Choice whether they would act or no; and in that Security many sat down: Some could not conveniently spare Time from their Family; some were indifferent which way the World went;

went; some could not part from their dear Delights, their Pots and their Hounds; and some staid at home, because they could not make that Shew, and appear in a Pomp and Equipage like their Neighbours. By Reason of these, and a many the like weighty Considerations, together with a general Degenerateness, Supineness, and Neglect of the Public, the Affairs of State became abandon'd, and shuffl'd into a very few Hands; insomuch that few besides those now called the Seven Electors, made any great Figure, or much labour'd in that Sphere.

But those Seven were suffered from Time to Time by a silent Usurpation to manage all, till insensibly it grew into a Custom.

So that (under *Charles* the Fourth, when the Priviledges and Rites of every body came to be stated, and reduced by general consent into a standing Law) in the beginning of the *Golden Bull*, this Ministry of the Seven Electors is said to be *an ancient and laudable Custom*.

Some will have these Electors to be a Committee of the whole Empire, and that (there being one King, one Duke, one Marquess, one Count, with the Churchmen) all the several Orders in the Empire are represented by them; and consequently  
that

that their Act is virtually the Act of the Empire.

But it seems more reasonable, that this Sort of Aristocracy sprung up to overtop the ancient more popular Government, by the Negligence or Inadvertency of the other Orders; who were satisfied in seeing the Emperor thereby effectually held within compass, and had no Care or Consideration farther.

For all their Fears and Apprehensions had risen from the Emperor, and, so be that they might be secured against his Encroachments and Oppression, they were content to set up those Electors, to oppose the Emperor, and stand as a Bulwark betwixt him and them.

And therefore by their free Act in the *Golden Bull*, they settle and confirm to the Electors that Prerogative, which no Prescription otherwise could have made just and authentic.

Above an hundred Years before, in the Church had the Government changed Face; an Aristocracy obtain'd, and the Election of the Pope ceased to be longer Popular.

About the same time, in *England* also, the old Laws and Policy ran a dangerous Risque from an Inundation of arbitrary Power,

Power, that threatened to break down all the ancient Banks and Barriers.

For the *Normans*, having come amongst us, partly by Consent, partly by Force, puſt up and wanton with their new Acquiſitions and Swing of Fortune, they could not well be kept within Bounds: Now and then Speeches of Conqueſt and holding by the Sword, and the like Bug-titles, were banded to and fro amongst the giddy Courtiers, with now and then a Sally and Inroad upon the People, trampling Property under Foot.

Theſe Inſolencies and Invaſions kept the Nation awake, and put them upon their guard, to wait an Opportunity whereby their antient Rights and Cuſtoms might be reduced into Form, and ſolemnly recogniz'd by ſucceeding Kings in the *Great Charter*.

Thus was the Cockatrice cruſhed in the Egg; and an early Stop put to Arbitrary Sway in *England*; and the Government returned to its old Center of Parliaments again.

*Germany*, in this Juncture, lay moſt open and expoſed: The Emperor, *Lord of the World*, and *Head of the Nations*, Succeſſor to thoſe *Cæſars* that had broken down all Forms and Fences, ſo that Liberty and Property lay waſte every where before them.

Theſe

These owed all their Power to the *Sword*. The *Imperial Crown*, the *Lex Regia*, the whole Bulk and Body of the *Civil Law*, were wholly and entirely their own proper Creatures; and what more might be devised to make a Prince unlimited, uncontrolable, great and barbarous, and render him a *Cyclops* or a *Leviathan*?

But the Result was, the *Customs* and Liberties of the *Germans* were far more Antient and more *Sacred* to them, than any *New Song* that the *Civilians* could teach them.

Therefore all this long Rattle of Imperial Prerogative only alarm'd them, and made them provide the better for their Security :

And as their Danger was the most threatening, and arm'd with stronger Titles and Pretensions than in other Nations; so have they with more Care sought their Preservation : And the *Golden Bull* with them was framed, and had the same effect as *Magna Charta* with us; which they strengthen and make Supplements to, by new Capitulations upon occasion, according as the Emperors abuse their Power, or that Tricks are devised, by Colour of the Letter, to elude the honest Intention of that Fundamental Law and Constitution.

Thus



Thus we see it true, in respect of Sovereigns, as well as of Subjects, That *evil Manners* are the cause of *good* and wholesome *Laws*.

#### S E C T. IV.

##### *Of the French Government and Parliament.*

The *French* have no *Golden Bull*, nor *Magna Charta*; peradventure, because no King of theirs had those Pretensions of Conquest, as the *Normans* here; nor had that Imperial Title of the Sword, and the Civil Laws, as the *Cæsars*, to transport them beyond the Bounds of Moderation and Reason :

Which put them upon other Measures, and gave them Opportunity, step by step, silyly, insensibly, and surely, to effect what more openly could never have succeeded.

As in the Fable, the Storm and Violence of the Wind could not force away the Traveller's Cloak from him; but the Sun coming silently upon him, dissolves him presently, makes him unbutton, and strips him of all.

Noise and Bluster make the People the more obstinate and tenacious. But Things remote affect them not. They never see Consequences,

Consequences, nor lay aught to Heart that is not immediately present before their Eyes.

If any Thing, now and then, in the Course of their King's Reign, happen'd that was shocking, all was look'd upon as some personal and accidental Slip only, without Foundation for Continuance, or without giving Jealousy of being repeated to Posterity.

About an Hundred Years after *Magna Charta* was establish'd, was that Project of the modern Parliament in *France* set on Foot, to render unnecessary the antient Assembly of the States, and consequently to alter the Government.

But the *English* Arms gave Check to their wanton Career, and for a long time diverted them from pursuing that Design, or bringing it to any Head.

However, this new Assembly or Vice-Parliament was cultivated and improved daily: They assumed all the Power, they consulted and determined the weighty Affairs; and, in Case the King offered any Violence to the Laws, they encounter'd and oppos'd his exorbitant Courses; they laid before him his Coronation-Oath, and plied him with Remonstrance upon Remonstrance, till they brought him to Reason.

Neither

Neither War nor Alliance could be made, nor could any his Edict or Command have Effect, till ratified and approved by them.

So that to the unwary Multitude these serv'd the Turn as well; these were as effectual and sufficient, and more ready and expeditious than the great old Parliament.

But afterwards came new-fashioned Kings to reign, who would not be overcome by Reasons or Remonstrances:

And yet then also, was a formal Compliance of this Parliament thought necessary; and, as an Expedient, when not satisfied in Conscience that an Edict ought to be ratified, was introduced that Clause, *Mandato Regis*; which imported, that they did not ratify such an Edict upon their own Judgment, but that they were overruled by the King's particular Command.

Afterwards again came the *Expresseo Mandato*, and *expressissimo Mandato Regis*, according as they passed it with a greater Reluctancy, and greater Violence had been offered to their Judgment.

But *Henry* the Fourth, who had fought through all Opposition into his Kingdom, and had subdued to his Will all that had fac'd him in the Field, grew impatient, after so great Contrasts, to find his Resolutions

tions crost, and contested by tame Gownmen; therefore, to rid himself at once of all those verbal Frays and Formalities, made a Law, that thereafter the King's Edicts should be ratified and *emologated* upon Sight, without more formal Trifling and Dispute.

Thus were those Remains of Sovereign Power, that had surviv'd in this diminutive Parliament, baffl'd and extinguish'd, without much Labour:

But, as they never possessed the Vigour and Spirit of the antient Assembly, the People were never so stupid to trust, or lay much stress on their Valour and Performance:

And therefore did more early show their Resentment; nor, without a general Convulsion and Civil War, could bear the Apprehension of a Court-Design to lay aside the old Parliament.

It was the Boast of *Lewis* the Eleventh on this Occasion, that he had *Mis la Royauté hors du page*. He had so ordered Matters, that the *Royal State* should be no more a *Pupil*; in him it came of *Age* to dispose Things, and act of its own Head, and should not need to be *tutor'd*, or be under a *Guardian* any longer.

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This

This was a Prince of a particular Humour, and of singular Endowments. It was no wonder if he did not like the Check of a Parliament; he had before attempted by two or three Rebellions to free himself from the Authority of his King and Father.

The good old King, *Charles* the Seventh, weathered the open Violence, but Fear of Poison overcame him; insomuch, that he durst neither eat nor drink any thing, but after five Days fasting died.

And now *Lewis* being King, his first Work was to clear the Court from all who serv'd his Father, and pack off all the Princes of the Blood, and antient Nobility, and to create a new Set of Nobles and Courtiers for his Purpose.

The People took the Alarm, and clamour'd for a Parliament to regulate Disorders, and prevent the Evils that threatned and hung over them. A Parliament! a Parliament! was the Cry and Expectation throughout the Kingdom.

The Bishop of *Paris* and Clergy, the Courts of Justice, and the City, (the Three Bodies of greatest Consideration and Gravity) presented to him their several Remonstrances.

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He (Dissembling being his Talent) took all kindly; and to break their Discontents, or divert them, took six Persons out of each of their Companies, to be of his ordinary Council; in Show only; for in Effect he was still the same.

And amongst the profligate Rabble about the Court, there wanted not in the mean time a Sort of Wretches who made an Hubbub, and, as formerly, declared their Detestation and Abhorrence of their Practices who had importun'd the King with their Remonstrances, and call'd it an unparallell'd Violation of their Duty. Nay, (*Philip de Comines* tells us,) the Courtiers went so far, that they call'd it *Rebellion* to mention a Parliament. Nor was it strange such Cattle should then be sheltered about the Court, when a *Mountebank* was set up for Lord Chancellor, *Taylors* and *Barbers*, (*Johan de Doyac*, *Olivier le diable dit le Dain*, &c.) the Prime Ministers of State.

This Jarring and Misunderstanding was followed by a Civil War, which was call'd *The Public Good*. This produc'd a Parliament. And this Parliament would no longer trust *Lewis*, single, with the Administration of Affairs; but appointed him thirty-six Commissioners, (*Curateurs*) to be his Assist-

ants. However, *Lewis's* Excellency lay in playing an After-Game.

In the War, he had sent to his Ally *Alexander Sforza* for Aid; who returned him Answer, That Men he had none to spare, but would give Advice which should be as effectual; so the *Italian* advis'd him, *Always to agree with his Enemies upon any Conditions, and then find the Opportunity to cut their Throats.* According to this, *Bodin* speaks of him, *Pacem inire coactus est, sed eos omnes clam aut aperte, paucis admodum exceptis, necandos curavit fratrem, quoque Carolum veneno.*

This is the Dexterity which *Comines* so much labours to gloss over, and set a Countenance upon; these the *Belles Actions*, and the *Finesse*, which the modern *French* so much celebrate at this Day: All is copied from this Original.

Perjuries and Poisons were his ordinary Arms, yet none so devout, none so superstitious, none made the like Largeesses to the Church: But his Masses and Pilgrimages did always portend some strange, horrid Murder about to be executed.

These were but personal Vices; his cajoling the Citizens, and affected Gallantry to their Wives, was Politic enough: But what prov'd most effectual to his Design  
of

of changing the Government, and excluding Parliaments, was his laying aside the Franc-Archers; who hitherto had been the Train'd-bands, and ordinary Militia of the Country.

In the War (call'd *The Public Good*) he found that those Franc-Archers (being Men of a settled Habitation, and Way of Living) took part with their Landlords and Neighbours against him; therefore from thenceforward he slighted them, and by Beat of Drum from Town to Town, gathered and lifted such as voluntarily offer'd themselves to his Service.

These were then called *Adventurers*, because they sought their Adventure by the Fortune of War; as, afterward, when *Charles* the Eighth carried them over the *Alps*, they got the Name of *Soldiers*, from the *Sold* or Pay they received upon that Expedition.

But as this *Lewis* could not trust the *Militia*, so within a little Time he began to think himself not safe amongst his *Adventurers*: These yet were not remote enough from the Interest of their Country, and had some small Sense of its Oppression.

Thereupon, for the more immediate Guard of his Person, he takes into Pension



Four Thousand *Switzers*; and by that Establishment, seems to have completed his Design, and alter'd the old Parliamentary into a Military Government.

And now it was not so hard a Matter to borrow Money of the Citizens, and otherwise make those Levies which no King before him ever attempted.

Thus it was that he brought the Royalty *bors du page*; or, rather (according to the Paraphrase of their Historian *Mezeray*) *bors du jense & du raisonne*.

Though in *Germany* the Condition of their Parliaments is not altogether so deplorable and desperate; yet of later Times there have not wanted lusty Endeavours by Force and by Artifice to destroy them.

Right and Wrong are ever the same, but Times and Manners vary Faces very much. One while, instead of all other Penalty for a Crime, it was sufficient that the Law censur'd it with an *improbè factum*. To say, he that does so, or so, is to blame, was more effectual and coercive in those *Saturnian Days*, than are Racks and Gibbets with us.

*Radamanthus* his Way of administering Justice in all Causes between Party and Party, was by putting them both to their Oaths, and determining their Right accordingly.

*This,*

*This, says Plato, was a proper and ready Way in that Age, when every Body was possessed with the Fear of God. But, says he, this would not do, now in our Times, when some make it a Question, whether there be a God or no; others make a Doubt whether God regards what we do on Earth; most and the worst of Men have a Conceit, that tho' there be a God, yet they can pacify him with their vile Adulations, their Mummeries and their Masses; so that they may still be as wicked as they please.*

*Therefore, says he, when Men's Opinions are chang'd, the Laws also must be chang'd; for, otherwise, if our Judges now were to make Radamanthus their President, we should all be over Head and Ears in Perjuries.*

The like may be observ'd in relation to Sovereigns. In old Times, at first there was only a simple Confidence between them and their People; and never were Kings so reserv'd, as then when they had no Bounds.

Afterwards, the Misbehaviour of some Princes introduced that Check of a Coronation-Oath: And where That is the only Check, 'tis an Argument they had never yet been there tainted with the Atheism and Infidelity which *Plato* mentions; but had continually lived and ruled with that Simplicity and religious Fear, so memora-

ble in those Days, when *Minos* and *Radamanthus* were King and Chief Justice of *Crete*.

*Claude Seiffelle* reckons several *Refrains*, *Bridles* that curb the *Trench Kings*; but now when the old Parliament is obsolete, this would be remark'd upon, as a graceless, unmannerly Metaphor in their *refined* Language.

## S E C T. V.

*A Transition to the Republic of Venice; of the States of the Empire, their Power and Privileges, and of the Imperial Prerogative.*

In the State of *Venice*, at first their Prince was as absolute as any *Barbarian*; till having strayed, and given some Instances of humane Frailty, new Curbs and new Ties were devised for him; but the *Italian* prov'd still too witty to be held by any.

The *Venetians*, however, would not be dallied withal; they would not suffer the Transgressor to rejoice long in his Extravagance, but pursued him with exemplary Punishment. *Sabellicus* reckons to the Number of Twelve that lost their Heads for slipping their Bridles.

At

## Government in Europe. 41

At length, when the *Venetians* found that neither the simple Trust was sacred, nor the Coronation Oath inviolable, nor the exemplary Punishment effectual, to contain their Prince within the Bounds that were consistent with a ~~free~~ People: They concluded, that the public Safety could not be sufficiently provided for, and secured against their Prince, till they strip him of all the Reality and Substance; leaving him barely the Formalities and Trappings, and empty Shadow of Sovereignty.

Now to come back to the *Germans*. Whatever Shifts other People have been put to, to maintain their Liberty, they (it should seem). never trusted the Sovereignty out of their own Hands; so that, whether it be a *mixed*, or what other Sort of Government you call it, the great Affairs were always reserved to be determin'd in Parliament; there was the Supreme Power, there was the Majesty.

Yet no People have been forwarder in adorning their Prince with all the Titles and Expressions of Greatness, and an arbitrary, uncontrollable Power than they.

All the Acts and Laws run in his Name, and are call'd *Cæsar's Laws*, and *Cæsar's Constitutions*.

Where the Emperor and the Empire are

## 42      *A general View of*

are named, he constantly has the Precedence.

In the public Ordinances and *Recesses*, every thing from him are stiled Precepts and Commands; from the States merely Obedience and Prayers, though he cannot wag a Finger without their Consent.

They every where speak of, and own in him a Fulness of Power *vollkommenheit*: And this they give also to the King of the *Romans* at the same Time; to shew the Emptiness and Vanity of it: As both are call'd Heads of the Empire, though the Latter has no Power at all, during the Emperor's Life.

They and all the World salute him by the Title of Imperial Majesty. And the *German* Style will not allow Majesty to any other Kings; *die Koniglicher Wurde*, not *die Koniglicher Macht*, the King's Worship, not Majesty.

Yet after all, *Æneas Sylvius* says, in *Germ. c. 43. Imperatorem, & Regem, & Dominum vestrum esse fateamini, precario tamen ille imperare videtur, nulla ejus potestas est.*

The Shadow and Flourish only were in the Emperor; but the *Jura Majestatis*, the *Vis Imperii*, the Essentials of Majesty were always reserv'd and exercis'd by the common

mon Assembly, as by the Particulars may more plainly appear.

1. One of the Rights of Sovereignty is to be above the Law, and to give Laws to the People.

Neither of these Royalties belong to the Emperor; he may be call'd to Account for violating the Laws. In the *Golden Bull*, the Forms and Proceedings against him are stated: 'Tis there said to be the *Custom*, and accordingly settled and agreed for Law, that the Electors may *impeach* the Emperor, in the Assembly of the States; and the Count Palatine of the *Rhine*, as Chief Elector, is to be the President or Judge.

For the Legislation, or making Laws, the Emperor proposes, the States are free which Propositions they will proceed upon. When an Act is to be passed, the Electors have six Votes, the Princes six, the Cities two, the Emperor has but one (the last) Vote. Without a Majority he can do nothing: They can decree without him if he is absent. The Ordinances are to be confirm'd by his Seal and Subscription; but if the States persist, he must of Necessity comply: Even *Charles* the Fifth in vain contested that Point, as may be seen in *Sleidan*, l. 4.

These

These Sanctions are regularly subscribed by *Cæsar*, and by some of the States for the Empire; and are enrolled (at *Mentz*) in the Chancery of the Empire. The several Members of the States are sworn to be true to the Emperor and to the Empire; and are said to be Subjects of the Emperor, and of the Sacred Empire.

2. In Matters of Religion, in all Times, the Head of the State had the Supreme Direction, as it was said of *Tiberius* *Immunere summum Pontificem summum imperium esse*: And the first Christian Princes, before the Papal Tyranny usurpt upon them, were always the chief Pontiffs, and received the Pontifical Habit from that College.

But upon the Reformation in Germany, Anno 1555, both the Emperor and Pope were excluded, and their Pontifical Supremacy abrogated. In the Point of Religion, the Emperor was not consider'd as the Chief and Head of the Empire, but as a Party: for by joining himself to the *Roman* Catholics, he made their Cause and Concern his own: It was therefore agreed and concluded, That the States only should determine in Matters of Religion; and that with a tender Hand, in an amicable Way only.

3. War and Peace are transacted in the Name of the Emperor; but in Effect, all is reserv'd to the States. He must at the least have the Consent of the Electors.

Yet any Prince of the Empire may levy Soldiers, may make Leagues and Associations without any Body's Leave.

4. For Jurisdiction, and the last Appeal, the Civilians say the Emperor is *Fons omnis Jurisdictionis*; but here it is far otherwise.

The Princes, in Causes touching their Life, their Honour, or their Fee, always claim'd their Privelege *das fursten-recht* (they call it) to be try'd by their Peers the Princes of the Empire.

The common Pleas were tried by the Emperor, and attended his Motion, till by the Increase of Suits, that Judicature was no longer sufficient, the Judges grew Corrupt, and many other Inconveniencies appearing, the States in their Assembly at *Franckfort*, An. 1489, ordered a Place certain for the Decision of those ordinary Causes; whereupon the Imperial Chamber at *Spire* was erected.

All the Process and Decrees of the Court ran in the Emperor's Name, and are under his Seal; and it is call'd *Cæsar's* Court: But it is also call'd the Court of the Empire.

The



46. *A general View of*

The Emperor only named the President; by the States were the Rest of the Judges appointed; and the other Officers of the Court by the Elector of *Mentz*, Arch-Chancellor of the Empire.

The States likewise execute the Sentence. They visit and reform the Court by their Commissioners; and to these Visitors are the Appeals, not to the Emperor.

Yet some voluntary References that were made to the Emperor and his Privy-Council, and to their Arbitration, gave them Opportunity of late to usurp a Jurisdiction.

5. Taxes are all levied in the Emperor's Name; but in Truth, nothing of that Nature can be done without the Assembly of the States: Nor is the Emperor trusted with the Money in his Exchequer; the States keep it till it be employ'd; they have their several Treasuries.

Sometimes the several Circles keep their respective Money; sometimes a public Treasury is agreed upon, and one or more *Pfenning-Meisters* (Penny-Masters) appointed. *Anno* 1495, they ordered seven Treasurers, one to be named by the Emperor, and six by the States. These swear to the States. And if any be, by special Oath or Obligation, bound to the Emperor or other particular State, he is incapable of that Trust.

Trust. These are accountable to the States only.

If the Occasion for which the Tax was rais'd be taken away, the Money cannot be diverted to other Uses, but by the Consent of the States.

6. The chief Magistrates are, none of them, made by the Emperor. The Count Elector *Palatine* is Vicar or Protector of the Empire, and has the Charge of it in the Emperor's Absence. The Three Ecclesiastical Electors, who are chosen by their Chapters, are of course the Arch-Chancellors of the Empire. The States appoint the (*Reichs-Skak-Meister*, or *Reichs-Pfennig-Meister*) the Treasurer of the Empire. Sometimes they leave the General to be nam'd by the Emperor, and the ten Circles appoint their several Directors or Council for him.

For the other Particulars, as the Inspection and Care of Coining Money, the hearing and sending Ambassadors, &c. the Emperor has no great Matter of Advantage above the other States.

On a common Account, where the Concern is general, the States must be consulted; and nothing can be done without their Consent and Approbation.

The

The Electors are in Possession, and exercise a particular Sovereignty in some Points of greatest Moment. They are the Trustees and Representative of the whole Empire, in their Election of the Emperor. And hereupon they undertake likewise to loosen his Power, or tie it up short; and make what Capitulations they please with him: And thereby would assume to themselves more than the other States will ever be content to allow them.

But the Emperor singly, besides the Name, and Poms, and empty Titles, has very little of the substantial Sovereignty entrusted with him.

The *Investiture* of the great *Fiefs* belongs to him: This is a Prerogative, goodly in Show, and were of Moment, could he lay any Conditions or Charge on the Person invested; but nothing is left to his Will; he cannot deny, nor delay the lawful Heir. Nor does the Fee for Want of Heirs escheat to the Emperor, but to the public Patrimony.

He grants *Privileges*, where a third Person or the Public is not injur'd.

He founds Universities, grants Fairs, makes Denizens, &c.

He creates Kings, Princes, Dukes, Marquisses, Counts, Poet-Laureats, Doctors, &c.

He

He gives only the bare, titular Honour of Prince, but not the Qualifications; he cannot make him capable to sit and vote amongst the other Princes of the Empire.

So that here the States are not subject to that Imposition which the *Roman* Senate once suffer'd under *Tarquinius Priscus*, who created an hundred new Senators, to the End he might be sure of a Court-Party, by his Creatures, and have a Majority of Votes in the House.

In short, the *Germans* seem to have observ'd the Rule in Politics, That he who is the most high in Name and Dignity, should in real Power be the least considerable.

Yet, in the last Age, the States gave way to several Innovations, which prov'd of mischievous Consequence afterwards.

S E C T. VI.

*Of the Regiment or Diet of the Empire; with a short Retrospect to the Parliament of France; and Panegyric upon that of England.*

It had antiently been the Custom for the Assembly of the States, to send for the Emperor to come to them upon Occasion; so *Hincmar* tells us of *Charles* the Great, *Rogatu ipsorum in Concilium veniebat, quo-*

E

*tiefcunque*

*tiescunque voluntas esset ut ad eos veniret; similiter quoque quanto spacio voluissent, cum iis confisteret, &c. Ep. 3. c. 35. Upon their Message to him, he came to the Assembly, as often as they had a Mind he should come to them; and in like manner he stayed so long with them as they desired, and this Custom continued, as may be seen in Lehem. l. 7. c. 80. and c. 115. till under Maximilian, and then the States began to go to the Emperor.*

This *Maximilian* likewise, upon Pretence of sudden Occasions that admitted not delays, would, now and then, be acting *single*, and usurping in several Particulars the Power that of Right could only be exercised by the *States*.

Therefore the States, *An. 1500*, to take off these Pretences, and prevent all Attempts of this Kind, and partly, peradventure, for their own Ease, substituted in their Absence a *Committee*, which they call'd the *Regiment*, and the Members *Regents*. This *Regiment* was an Epitome of the whole Empire, and was endued with all the Powers and Sovereignty accordingly.

It consisted of twenty Persons, who were chosen out of the several Orders of the States, and took an Oath *to be true to the Emperor, and to the Sacred Empire.*

The

The Emperor, or his Proxy, was their President; but, lest this might give too great Advantage to the Emperor, an Elector was added, as a Joint-President with the Emperor, or his Proxy.

No Person of Dependance on, or particular Obligation to, the Emperor, was capable of being a Member.

The Emperor had no more Vote than any one of the Twenty *Regents*; nor could determine aught, unless the Majority were for him.

These were not simply to consult, but had the Execution also.

This Constitution held for some Years; and then the *Annual Assembly* returned, and resumed their Power, and acted again: But, in case of sudden Necessity, left another Expedient for the Emperor. They constituted for him a Counsel consisting of Eight Persons, Four chosen by the Electors, and Four by the other States. These were sworn to be true to the Emperor and to the Empire, *Scweren der Keyserlichen Majestat und dem heiligen reichs getreu, &c.*

But *Charles* the Fifth coming to Reign, he went upon the new Model immediately: He restor'd the *Regiment*, but made the Conditions altogether different.

Now it consisted not of Twenty, but Twenty-two Persons: He as Emperor would have Two Votes added, thereby in effect to be Master of Five Votes; Two as Emperor, One as President; One for *Austria*, and One for *Burgundy*.

The former *Regiment* might, according to the old Custom, send for the Emperor to come to them: Now it was order'd that *Cæsar* might call them to what Place he had a Mind.

Formerly, if the Emperor came not, they might proceed without him; now, *Charles* the Fifth forbade them to make Leagues and Alliances, or do aught in his Absence: The Oath was alter'd, and the Members were only sworn to the Emperor, and said to be the Counsel of the Emperor; whereas the former was called the Counsel of the Empire.

In the former Constitution, the Elector in the Name of the Empire subscribed their Ordinances; here, with the Elector's Subscription, is joined that of the President, in the Name of the Emperor.

In short, the former was constituted by the States, and entrusted with their Power, to be a Check upon the Emperor; this was formed by *Cæsar*, to quiet the People, and entertain them with a Show; whilst he the  
more

more insensibly made his Advances to invade their antient Rights, and usurp all the Power into his own Hands.

The next Project in Case of Emergencies, was the *Assembly* of the Deputies. This consisted of the six Electors, six other Princes, and two Cities; to which were after added four Princes more. This continued till *An. 1606.* with some Effect: Afterwards it prov'd of little Consequence, Court-Artifice prevailing; and the *Ferdinands* found a Way to manage the *Deputies*, and render them as unprofitable to the Public, as *Charles* the Fifth had made the *Regiment*.

The second *Ferdinand* called what *Deputies* he knew would vote for him; the rest he excluded, and supplied their Place with others, who he understood were entirely at his Devotion; as he told my Lord *Digby*, Ambassador with him, *An. 1621. Lundorp, Tom. 2.*

Amongst these Projects, may be mentioned the Counsel of the Emperor's Court, and the Privy-Counsel. These also, that they might show as if the Empire had their Interest in them, were at the first sworn to the Elector of *Mentz*, as Arch-Chancellor of the Empire: Which Oath came, after some Time, to be omitted.



Thus we have seen that the Custom of the Empire was to have a yearly Assembly; these, at the End of their Session, always appointed the Time and Place for their next Meeting. If there was Necessity for them sooner, then was the Emperor to call an Assembly extraordinary; which happening frequently, the States for their Ease appointed the *Regiment*, and other Expedients.

This gave a Precedent for the Emperors to devise something of the like Nature, which they might more easily pervert to their own arbitrary Interest and Advantage: If it have but the Name or Resemblance, the People look no farther; they see not into the Trick and Secrets of it; they are led by the Appearance so long, till they are past Recovery, and no Way is left them for a Retreat.

And indeed the Emperors of the last Age ceased to deal *bonâ fide*; the old *German* Honesty wore out of Fashion: And they no longer treated on the Square with their People.

Artifice and Juggle came in Place: and in the Days of *Charles* the Fifth, began to get a specious Appellation, and be named (forsooth) *Reason of State*.

But more especially, since the Jesuits there, have refined upon the Court-Sophistry,  
and

and minc'd away all the old Remains of Morality and Conscience ; for the Jesuits could the worst of all others, endure these same *mix'd Governments*.

They would have the *Pyramid* inverted, and the whole Stress of Things rest upon one single Leg, that their Art might play the more freely, and they the more cleverly trip it down : This broad-bottom'd Monarchy and Government, founded on the People, puts them to other Measures ; a Dose of Poyson, or consecrated Dagger, will not do the Work : They must here go about and about, make slow Approaches, ripen a Plot of many Years, and draw a long Concatenation of Intrigue, e'er they can think to compass their Design.

When the Commonwealth has but one Neck, the Jesuit will have it under his Girdle ; if not, one Blow does the Feat, and his Dexterity is admirable :

Therefore in *Germany* the Jesuits have left no Stone unturned, for their Part, to bring all the Sovereign-Power from the States to the Emperor : And to that End, of late Times, the Emperor (whether by their Influence upon his Councils or no, is not our Enquiry) has employed all the undue Practices, and set all Engines at work,

to render the Public Assembly useless, burthenfome, and odious to the People.

On this Foot, Care has been taken, that some vexatious Tax fhould be the only Result and Conclusion of every Seflion: *Aid againft the Turk* was a constant, perpetual Pretence; Money the Head of all his Propofals; Money the Effect and Substance of all his Speeches: This Affair once adjusted, other Debates were out of Doors; *Grievances* not then longer to be touch'd upon, but all adjourn'd to another Seflion; befides the mifchievous Devices to embroil the States amongst themfelves, and turn all their Heat upon fruitless Difputes and Altercations.

In the fecond Place, the Electoral College have not been too fair in their Refpects to the Diet: Thefe could be content, that betwixt *Cæfar* and themfelves, all the Matters of State be tranfacted; and have fometimes, accordingly, ftretched a Text of the *Golden Bull* to ferve a Turn, and colloqued with him, that he again might be complacent to them; till that, amongst them, the public Patrimony and common Right and Prerogatives of the Empire became engroffed in a few Hands, and made a Spoil to their unreafonable Ambition.

These

These Electors must, every one, under his Hand and Seal, signify their Consent to the Emperor, before he can summon an Assembly of the States.

They got to themselves the Making of the Emperor ; and now, in effect, the States cannot meet without their Order.

They were wont to be reckoned six Electors ; to some Purposes seven ; now they make eight ; but before they fill up the Number of the *Roman Decemviri*, they will do well to remember their Fate. These Ten (as *Livy* tells us) having got all the Supreme Authority, for a Time, into their Hands, that they might reign absolute, *took an Oath together never to call the Common Council* ; yet their Tyranny held not long ; this Cheat would not down with the old *Romans* ; but with a general Indignation they broke over the Forms and Captivity of the Letter : For, according to that old Law in *Homer*,

Ἐἰς ὅταν θεῖος δέσποτα δμυνεῖται καὶ πατρίης.

to free their Country from Slavery, they executed an *unwarranted* Piece of Justice upon these ten Usurpers, or *Ten Tarquins*, as some Body then call'd them.

Lastly, The States have not a little been wanting to themselves, in the Affair of this their so antient and fundamental Prerogative.

tive : One principal Cause of which (amongst many others) has been their Differences about Religion.

For the Protestants being sure to be outvoted in the Diet, think they can barter with *Cæsar* for better Conditions, and are therefore well enough content that the yearly Assembly be neglected.

In a Word, the *German* Diet is still on Foot, rather encumbered, and clogged, and puzzled, than destroyed.

The Parliament of *France* seems quite antiquated and subdued ; the Ghost and Shadow of the Defunct has appeared three or four Times since *Lewis* the XIth ; but to revive that Assembly in its full and perfect Vigour, requires a Miracle like the Resurrection.

So that, in effect, we may date the Demise of the Parliamentary Sovereignty in *France*, from *Lewis* the XIth ; and the Decay of that in *Germany* from *Charles* the Vth.

It is in *England* only, that the antient, generous, manly Government of *Europe* survives, and continues in its original Lustre and Perfection.

Were there not something in that Saying of the Emperor *Maximilian*, that *the French King is a King of Asses* ; yet, however,

ever, that same *Legereté*, on which the *French* so value themselves, is but, in plain *English*, a Lightness of Humour, by the which they are easily piped into a new Mode of Government.

But our *English* Ancestors have always been of a more steady Principle, more wise, and more weighed, than to dance after their Politics.

The Reformation of Religion leaves no room at our Court for Jesuitical Infection, so fatal to the *Germans*.

Nor, on the other Hand, have we yet had any *Swiss* Guards, or *Lewis's* for our Kings: Ours have still been true *English* Original, no Copies of the *French*.

*Magna Charta*, instead of being superannuated, renews and recovers its pristine Strength, and athletic Vigour, by the *Petition of Right*, with our many other explanatory or declaratory Statutes: And the *annual Parliament* is as well known to our Laws, as ever it had been famous amongst the Customs of *France* and *Germany*.

I have not formally answered many Objections that might be started; nor much regarded the single Instances of some Historians, and perhaps may be judged lame in several Particulars that I have slighted.

Take

Take all together, you may as easily find an Answer, as raise a Scruple : But the Short of what I would have said, is,

You are not to expect Truth from an *Historiographer Royal* ; it may drop from their Pen by Chance ; but the general Herd understand not their Business ; they fill us with Story, accidental, incoherent, without End or Side, and never know the Government or Policy where they write.

Even the *Records* themselves are not always accurately worded.

The *Stile* of the *Court*, and a Form of Words, imposes upon many : *Names* are taken for *Things*, Ceremonies for Essentials.

The *Civilians* are Vassals to a *Foreign* Jurisdiction ; *Cæsar*, the *Sword*, the Military, Imperial (or rather *Imperatorial*) Discipline, is to them for Scepter and Civil Policy : The *Germans*, Anno 1441, were for excluding them from all Offices, and Places of Trust. *Limnæus*, l. 1. *de jure publ.*

Our common *Lawyers* are for comparing and measuring by their Rule, what is antecedent and above their Rules and Comparisons.

Christ's Kingdom is not of this World ; nor ought the Divines *παραγματούειν*, to meddle in this *Political Province*.

S E C T.

SECTION VII.

*Of the Necessity of Parliaments; with a  
Transition to the Constitution of England.*

In the general Notion, Monarchy or Kingly Government is the most easy, and most excellent; But Corruption coming into the World, neither the Sons of *Jupiter*, nor the Sons of *Hercules*, found Perfection entailed upon them; nor were exempt from their Share of humane Frailty. Many (says *Tasso*) are servants by Fortune, who are naturally Princes; some again, though descended from an hundred Kings, are yet born to be Slaves; and (maugre all their high Race of Royal Progenitors) will be commanded, and governed, and managed by a Minion, or a Mistress. These are, really and indeed Slaves; but are not judged such, because the People, who only look on the Outside, judge of Men's Conditions, as in Plays, where he is call'd a King, who, clad in Purple, and glistening with Gold and Gems, does personate Agamemnon: if he does not represent him well, he has the Name of King nevertheless; only 'tis said, The King was out in his Part, or The King acted his Part scurvily.

And



And *Flavius Vopiscus*, in *Aurel. Cæs.* tells us, *Aurelius Cæsar dicebat, Colligunt se quatuor aut quinque, atque unum Concilium ad decipiendum Imperatorem capiunt; dicunt quod probandum fit; Imperator, qui domi clausus est, vera non novit, cogitur hoc tantum scire, quod illi loquuntur; facit iudices quos fieri non oportet; amovet a republicâ, quos debebat retinere, quid multa? ut Dioclesianus ipse dicebat, Bonus, cautus, optimus venditur Imperator.*

*Aurelius Cæsar* was wont to say, *Four or Five get together about the Emperor, all their Consult is, how to cheat him; what they say is to be Law; the Emperor, who is shut up from other Counsil, never knows the true State of Things, but is forced to understand just so much only as they tell him; he makes Judges, who the least of all should be; turns out of Commission those who ought to be the Quorum; in a Word (according to Dioclesian's Saying) the Emperor, so good, so wary, and so too too Good, is bought and sold before his Face.*

If then it be true, that he who is of Royal Extraction, clad in Purple, and called a King, is not always *naturally* such; it was Wisdom, certainly most seasonable, to find the Means that might correct, and (as it were) ensure *Nature* against the Impotence

potence and Tyranny of the Minion or Mistress which *Tasso* mentions.

And if the Observation of *Aurelius Cæsar* be just, that *Cabals* are so pernicious; and that four or five Persons, who get the Prince into their Hands and Possession, shall abuse, and cheat, and betray him to his Face, in spite of all his Goodness, his Caution, and Royal Virtues; if, I say, these Things be true, the Necessity of Parliaments cannot be disputed: *Homer*, as before observ'd, reckoned it *Barbarity* in the Degree remotest from all Things of God and Goodness, and a *Cyclopean Presumption* to rule without Parliaments.

Old *Hesiod*, in his homely Way, gives an Ænigmatical Reproof to those Kings that would be grasping all, and be so absolute,

Δήτιοι ἔδ' ἴσασιν ὅσῳ πλείον ἤμισυ πάντος,  
ἔδ' ὅσον ἐν μαλάχῃ τε καὶ ἀσφοδίλῃ μετ' ὄνειαρ.

as if he had said, *These Fools know not, how much more the Half is than the Whole; and that a Shoulder of Mutton, with the Love of the People, is more worth than the Ragoufts, and the Hautgoufts, and all the French Kick-shaws whatsoever.*

*Plato* tells us, that even in *Asia*, they who performed any great Atchievements, or enlarged the Empire, were those (as the  
grand

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*grand Cyrus* for Example) who slackened the Prerogative, and admitted the People to a Share in the Government.

But such as *Cambyfès*, who, against all Sense and Reason, stretch'd and strutted upon the *τὸ δεσποτινὴν*, the *Lordly* Domination, brought all again into Confusion and Ruin.

Amongst the Latins, even the Founder of the *Roman* Name, *Romulus*, because he took upon himself an arbitrary Power, to rule without the Senate, they (it is thought) tore him to Pieces; insomuch, that they left nothing of his Body for a Spectacle to the Rabble; as afterwards their Successors unluckily did, who kill'd *Cæsar*.

The Imperial Power that began with the *Cæsars*, was only *Magnum Latrocinium*, one huge, horrid Oppression. Military Government, Martial Law, barbarous Nations, *Goths* and *Vandals*, over-ran, and made Havock of the old Civil *Roman* Empire.

In *Britain*, *Gaul*, and *Germany*, all this while, Liberty, and a Participation in the Government, was the common Right and Inheritance UNALIENABLE; the *Common-Council* was the Basis and Hinge, however the Administration roll'd.

Afterwards,

## Government in Europe. 65

Afterwards, when *Germany* gave us People, it gave us a *German* and a *Free People*.

About *An. Dom.* 800. *Charlemagne* (or *Charles* the Great) united *France* and *Germany* under one Head, and one Empire: all Histories are full of his Reign and Actions: he rul'd *more solenni, secundum morem*, in the old Customary, Parliamentary Way, every where.

The Nations round about submitted and took Laws from him; and he submitted all again to the (*ordinatum*) the Ordinance of Parliament. An *Annual Parliament* was then reckoned the Custom, and inviolable Right of the People:

And thus the Affairs of State proceeded; and this Scheme of Government continued in *Germany*, till the late unhappy Divisions about Religion, weakning and embroiling the States, gave Way to the *Austrian* Ambition, new Projects, and Jesuitical Artifice; so that the Assembly of the States, at this Day, keeps on foot (indeed) but sick, heavy, and unweildy.

The *French* Court had much sooner learn'd the Terms *de proprio Motu, & potestate absolutâ*, by their neighbourhood and correspondence with the Pope at *Avignon*: But so long as the *English* Arms kept

kept them in mind of their Mortality, it was no Time for them to think of Ruling without a Parliament.

But when *Charles*. the Seventh had sent home the *English*, *Lewis* the Eleventh, with (*Olivier le diable*) his Barbers, and his cut-throat Devils, thought no Attempt too wicked for them. He (forsooth) was *bors du page*; he wanted not to be *led*, he was past an *Infant*; and a loud Out-cry he made against the unmannerly, clump-fisted, bumpkin Parliament. But when the *bien Publique*, or War for the Public Good, hindred him from bringing about his Design openly and directly, he compass'd it, in effect, by slighting the *Militia*, and laying his Project of a standing Army.

In *England* we have also heard of Minions, and Mistresses, and Cabals; and have had unhappy Princes: But the Laws and old Customs of the Land, the Generosity of the People, and the *Genius* of the Nation, have still Prevailed, and been too strong for all their Practices and Machinations.

When the *Normans* came to the Crown, after some Years of Ease and Prosperity, they began to forget on what Conditions they had entered. *Conquest* was a short, a compendious Title, and without Intricacy.

And

And now likewise the Church-Men were every where agog for changing the Government both of Church and State, into absolute Monarchy. But the best on't was, the Pretences were visible and notorious. Besides that the Temporal and Spiritual, the Prince and the Prelatical Lord could not agree who should be Supreme. Which Differences gave Breath to the People, and put into their Hands an Opportunity to assert their antient, just Rights, and bottom all upon the Parliament again.

And now, since the *Great Charter*, and *Petition of Right*, and the many other Declarations, what can threaten us?

Neither the *Gunpowder* Treason, nor the late more *Sacred* Invention of a *Pensioned* Parliament, could take Effect.

NO ROOM IS LEFT AMONGST US FOR A STANDING ARMY, which enslaved the *French*. And (our *Franc-Archers*) our Militia, continues after the old Model.

Nor, with us, as in *Germany*, is the *Papist* like to bear up against, and balance our *Protestant* Votes in Parliament; thereby to render the Constitution useless and unpracticable.

And it may be hoped, we shall never so far give Way, and be gull'd by Jesuitical Artifice, to find *another division* in Religion

amongst us; that may favour their Designs, and, under *other Names*, do their Work as compleatly.

You need not be caution'd to distinguish *Plato* the *Divine*, from *Plato* the *Philosopher*. Poets and Divines, you know, have a particular Way of Expression, and give their Thoughts a Turn different from that of other People. They attribute every Thing to God; though the whole Operation and Train of Causes and Proceedings be never so natural and plain before their Face: the Images they make are often taken in the grossest Sense, and worshipped by the Vulgar; and many times the Statesman is willing to contribute to their Idolatry. Hence it comes, that for the *Persians*, *Zoroaster* was said to receive his Laws from *Horomafis*; *Trismegistus* for the *Ægyptians*, from *Mercury*; *Minos* for the *Cretans*, from *Jupiter*; *Charondas* for the *Carthaginians*, from *Saturn*; *Lycurgus* for the *Lacedemonians*, from *Apollo*; *Draco* and *Solon* for the *Athenians*, from *Minerva*; *Numa Pompilius* for the *Romans*, from *Ægeria*; *Xamolxis* for the *Scythians*, from *Vesta*; and all these as truly, as *Mahomet* had his *Alcoran* from the Angel *Gabriel*.

This Sort of Doctrine went current enough whilst Monckery and Ignorance sat  
in

in the Chair; but now, in an Age of History and humane Reason, the blind Traditions go hardly down with us: So that *Jure Divino* at this Day makes but a very litigious Title.

Nor is it consistent with the Brevity of a Letter, to observe minutely how long the Remains of the *Roman* Domination continued amongst us; as, namely, That the *Roman* was the only authentic Language for judicial Matters in *Germany*, till the Reign of *Rodolph* the First, about the Year 1287, in *England* till *Edward* the Third, in *France* till *Francis* the First.

But in Church-Affairs, that old Mark of Slavery is not yet worn off; the spiritual Emperor will remit nothing, he still holds his Vassals to the *Roman* Tongue even in Divine Service; only in *England*, and where the Reformation has prevailed, this, with the other Appurtenances of *Roman* Bondage, are no longer necessary.

Nor is it proper in this general Draught to reflect on all the several Steps, and little Dispositions to Change, in each Nation. As how sometimes a Practice has prevailed against the Form and Letter; sometimes the Form of Words has been necessary, but the Practice obsolete. The Use in Commissions of the Phrase, *Pour enjouyer tant*



*qu'il nous plaira*, was not known in France till Lewis the Eleventh tried its Virtue; which occasioned their Parliament, An. 1467, to ordain that notwithstanding the Clause *tant qu'il nous plaira*, Offices should not be void, save only by Death, Resignation, or Forfeiture; as *Pasquier* in his *Recherches* informs us.

### S E C T. VIII.

*Of the Three Estates; and finally of King-Craft, or Tricks of State.*

But, peradventure, since it has been so much controverted of late amongst us who are the *Three States*, and the Word occurring so frequently in the *German* Tongue, you may expect some Account who they be that have the Name of *States* in *Germany*.

They express the Word *States* in their own Language, and call them *Stands*, and *Reich-stands*, because, says *Goldastus*, the Empire stands and rests upon them, as upon its Basis and Pillars. *Status Imperii dicuntur quo' in illis, ceu membris, id est, basibus columnis, ipsum Imperium stet & subsistat.*

Those

Those are said to be *Stands*, who have the Right to sit and *Vote* in the common Assembly of the Empire. *Hi quidem status, Reichs-stands appellantur, ideo, quod statum & locum votandi & sedendi in Comitibus Imperii habent; hanc quippe unicâ & propriâ quasi notâ, status ab aliis Imperii subjectis secernuntur*, Arumæus, c. 4. de Comitibus. So that all the Question is, How many several Ranks, or distinct Orders there may be of these *Stands*?

From *Polybius*, we have had a particular Account of mix'd Governments, where he calls those that represent the Monarchical, the Aristocratical, and the popular State, *Tela μὲν τὰ κατ'ἑντα τῆς πολιτείας, the Three governing Parts of the Common-wealth*. So the King, the Senate, and the *Ephori* at *Sparta*; the Consuls, the Senate, and the Tribunes at *Rome*, were there, the *Three States*, and had each their particular Shares in the Government.

The like seems to have obtain'd in *France*, under the Names of the King, the Peers, and the *Third State*: Nor did the Power of the Clergy, how great soever otherwise, make any new distinct Order, but they were mixed and included with the other States, as their learned Archbishop *Claude*

*Seiffelle* in his Treatise of the *French Monarchy*, shews us.

In *Germany*, how the Government has been shared, and who have had a Right of *Voting* in old Times, we may learn from what has before been cited out of *Facitus*; the *Rex*, the *Principes*, and the *Omnes*, denote the *Three States*, who had their several Shares, and Right of *Voting* in the Government.

The same Distinction continued still under the Western Empire. *Hincmar*, at the yearly Assembly, or *generale placitum* under *Charlemagne*, does comprehend all under the Terms of *Seniores* and *Minores*; so that the Emperor, the *Seniors*, and the Commons, seem to have then been the *Three States*.

*Senior* (which the *Germans* expressed in their *Ealdermen*) we may suppose, was a Word which grew current in the *Provincial*, or vulgar *Roman* about that Time; and afterwards was diversified into *Sieur*, and *Sire*, and *Sir*, and *Monsignior*, and *Monsieur*, and was ordinarily applied to Men in great Office. *Cum Seniori urbis nunciata fuissent*, &c. *Seniores loci illius*, &c. *Nihil per me feci, nisi quæ mihi, a Dominis nostris & Senioribus Imperata sunt*, &c. *Tempore Senioris nostri*, &c. *ex parte Senioris mei Caroli*, &c.

Uc. These, and the like Passages, in *Gregory Turonensis*, may shew the Extent of the Word, and that the *Seniores* in *Hincmar*, were the same with the *Principes* in *Tacitus* : Nor did the *Signiories* become hereditary till *Otho* the First his Reign.

But what most affected the Government, and proved of greatest Consequence in this Affair, was the Innovations that happened in *Frederic* the Third's Time; for, whereas, formerly, a Proclamation was wont to be issued out for summoning the Assembly, whereupon, *Delecti ex singulis Civitatibus*, says *Aymonius*, from every Town and City were chosen the Burgeses and Citizens to go their Representatives to the Assembly, Now, so many griev'd at the Charge, and neglected the Proclamations, that oftentimes the Assembly could not proceed for want of a competent Number of Members; wherefore *Frederic* let the Proclamations alone, and, instead thereof, sent particular Letters to the several Towns; and, henceforward, none took themselves obliged to attend, who had not Letters directed to them: Many of the poorer Towns were glad to be excused, and private Gentlemen left off going; so that, within a little Time, the Government was brought into a few Hands, and every Day rendered less and less popular.

lar. Those Cities that preserved their Share in the Government, and Right of *Voting*, by continuing to send their Representatives to the Assembly, are now therefore call'd *Imperial Cities*.

Altho' the Electoral Princes had a Name much sooner, yet were they still one and the same State with the other Princes, till under this *Frederic*, in the Dyet at *Frankford*, Anno 1489, they parted, and became a particular Assembly, and voted severally, and from that Time got the Name of a distinct State, and form'd a new Sort of an Aristocracy by themselves.

Yet all this while the Clergy did never set up for a seperate Order in the Commonwealth, but always made a mix'd State with the Laiety; mix'd they are in the Electoral State, and mix'd in that of the Princes, where the *Geistlicher* and *Weltlicher*, Ghostly and Worldly (as they call them) together with the Counts, Barons, and other Gentlemen, make but one State. They have indeed a particular Bench (*die geistliche Bank*) to sit upon by themselves; save that the Arch-duke of *Austria*, and Duke of *Burgundy* only sit upon it above them.

Now, whether we fix our Notion of the *Three States* upon the Doctrine of the Antients, as delivered by *Polybius*; or call them  
the

*the States*, who have a *Right of Voting*, the Emperor is clearly one of the *States*: Nor is it material, that the ordinary Stile and Form of Words seem to imply the contrary; for if the Saying, *Emperor and the States*, argues the Emperor himself to be none of the *States*, by the same Reason the Form so frequent in their *Recesses* or public Ordinances, *chur fursten, fursten, und Standen*, that is, Electoral-Princes, Princes and States, will exclude the Electors and the other Princes also, from being either of them *States*.

The Form *Emperor and States*, does no more prove him to be none of the *States*, than with us the Saying, *King and Parliament*, does imply, That the King is no Part of the Parliament.

I shall not trouble you with the Disputes, what were the Bounders of *Anstrasia* and *Newstria*, or whether by the Devolution of this Western Empire, *Germany* was added to *France*, or *France* to *Germany*; or, whether more properly, *Charlemagne* be to be reckoned amongst the *French* or the *Germans*: His having been born at *Ingelsheim*, as most affirm, or at *Carolsburg* in the Upper *Bavaria*, as many believe; and his speaking the *German* Tongue, with this Testimony of *Eginhardus*, viz. *Mensisibus juxta patriam linguam nomina imposuit; cum ante id tempus*  
*apud*

*apud Francos, partim Latinis, partim Barbaris nominibus appellarentur, Januarium appellavit Wintermonat, Februarium Horning, Martium Lenkmonat, &c.* These, I say, are urged by the *Germans*, as no mean Arguments: But these Matters concern not our Enquiry.

If you cannot reconcile the Emperor his being somewhere said to be *Sacri Imperii Minister*, and elsewhere declared to have no Superior, *Nisi Deum & Ensem*, but God and the Sword; *Bartolus* tells you, *De verbis non curat jureconsultus*, The Intention is to be regarded before the Words: The Intention of the States in that Declaration, *An. 1338*, was none other than to exclude the wild Pretensions of the Pope; to deny a Foreign Jurisdiction, not to confess or introduce any new Subjection in Themselves: *Limitata ex certâ causâ confessio non nisi limitatum producat effectum.*

But I cannot conclude without some reflection on these Frauds *a la mode*, the *Ruse* and *Finesse*, which the *French* so loudly boast at this Day. *Lewis* the Eleventh would not have his Son learn more Latin than *qui nescit dissimulare, nescit Regnare*. The old *Romans* had another Sort of Spirit; we are told in *Livy*, *Hæc Romana esse. Non verjutiarum Punicarum, neque calliditatis Græcæ —*

*Græcæ*—*apud quos fallere hostem gloriosius — dolo quam virtute* : 'tis like a Roman, to deal openly and roundly; not to practice the *Carthaginian* Leger-de-main Tricks, or *Græcian* Cunning, whose Glory is to circumvent; and by Fraud, not Virtue, overcome an Enemy.

The *Venetians* at this Day are commended for the same Style. *Il procedere veramente Regio regli affari publici, il negoziare saldo, e libero, e senza artificio, O duplicita; non Masquerato, non finto, ma sincero, e del tutto alieno da ogni dissimulazione e fallacia.* Their Proceedings in public Affairs, (says our Author) is truly Royal; they negotiate upon the Square, frankly, and without Artifice, or Double-Dealing, not disguised, or upon the Sham; but sincere, and every Way far from all Dissembling and Tricks.

And indeed the *bugie* and *inganni*, and little *Italian* Shifts, would better become Duke *Valentine* and the petty Princes, than any Kingdom or Commonwealth of true Strength and solid Reputation.

The *sophismata* and the *περσικα*, the Sophistries and State-Pretences of this kind, however furbish'd up, and gloss'd over of late by our Politic Brokers, were all stale Cheats, and worn out even in *Aristotle's* Time.

Thus



78 *A general View of, &c.*

Thus have I hinted Matters to you, and only touch'd upon Heads, without anticipating your Reflections and Applications. I have not treated you like a Stranger, but as one thoroughly Informed, beforehand, and to whom all those Difficulties are familiar, which I can only discover at a Distance. And after all, I must fly from your Judgment, to your good Nature.

*I am, &c.*

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A N

A  
D E T E C T I O N  
O F  
Such Concessions as have been made  
T O  
KINGS *and* MINISTERS  
B Y T H E  
PARLIAMENT of *England*.

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INTRODUCTION.

**I**T is manifest, That Parliaments have been the Basis of all the *Gothic* Governments, from remotest Antiquity; That hitherto no other Expedient hath been held so effectual to keep the Rage of Prerogative within due Bounds, and that they are to be traced by their Ruins, in *Germany, France, Spain, &c.* at this Day.

But

But then it is manifest likewise, from those Ruins, that, thro' the Craft and Perfidy of Kings, the Degeneracy of Mankind, and the Extinction of that noble Spirit which accompanies Liberty, they are liable to be shook with Storms, and to become the Prey of their own Corruptions.

In *England* however, it seems, they have been able to maintain their Ground both against Fraud and Force; and, as we are told by the noble Author before us, bid fair to be incorruptible and immortal.

Such, and so happy, without Question, appear'd the State of Parliaments in this envied Nation to him: He had seen many glorious Effects of their Power and Virtue, but Few of their Weakness and Corruption: Had their Meetings been necessary, not dependent on the Grace of the Crown, he had pronounced us wholly out of the Reach of Danger; for when Parliaments met, Grievances us'd to vanish, and Aids to the Crown, were the Means of Grace to the Subjects—Would to *God* this was still the Case! But alas! tho' our Constitution wears as fair an Outside as ever, it is not altogether so sound at Bottom; and while we admire its Beauty, we tremble for its Foundation.

In

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In order, therefore, that we may know whether it is indeed founded on the Rock of Ages, or if the Ground already sinks from under it; whether we have Reason for our Fears, or our Fears have depriv'd us of our Reason, Let us take Truth for our Guide, and endeavour to ascertain its real Condition; by pointing out what Breaches are already visible, and what others are to be apprehended: whence Posterity will be taught, That if we cou'd not repair, we at least, gave Warning.

S E C T. I.

*Of the Petition of Right, and Triennial Bill.*

IN the latter End of *March* 1628, the *Petition of Right* was brought in; which had for its Foundation *Magna Charta*, Six other Statutes, Twelve Precedents in Term, and Thirty one more: notwithstanding which, the King, first by the Lord-Keeper, and then by Two Messages, endeavour'd to evade the passing it into an Act, tho' he acknowledg'd the said Statutes to be in Force: The Lords, likewise, at a Conference, labour'd, tho' in vain, to slip in a Salvo, *not to infringe the Sovereign-Power,*

G

and

and when it was presented to his Majesty by both Houses, his Answer was, *Let Right be done according to Law; and the Statutes be put in due Execution.* But this did not give Satisfaction: notwithstanding which, the King signify'd by Message, he would not alter his Answer; but on the joint Petition of both Houses for one more satisfactory, held it advisable to pass the Bill after the usual Form. *Soit Droit fait comme il est désiré.*

With such Difficulty was this most reasonable Act carry'd, even by this enterprizing Parliament, who had already resolv'd, at the Instance of Sir *Thomas Wentworth*, afterwards Earl of *Strafford*, *That Grievances and Supply should go Hand in Hand together;* and tho' the enacting Clauses were simply these that follow.

*That no Man hereafter be compell'd to make or yield any Gift, Loan, Benevolence, Tax, or such like Charge, without common Consent by Act of Parliament; and that none else be call'd to make Answer, or take such Oath, or to give Attendance, or be confin'd, or otherwise molested or disquieted concerning the same, or for Refusal thereof. And that no Freeman, in any such Manner, as is before mention'd, be imprison'd or detain'd. And that your Majesty will be pleas'd to remove*  
the

*the said Soldiers and Mariners, and that your People may not be so burdened in Time to come. And, that all Commissions for proceeding by Martial Law, may be revok'd and annull'd; and that hereafter no Commissions of like Nature may issue forth to any Persons whatsoever, to be executed as aforesaid, lest, by colour of them, any of your Majesty's Subjects be destroy'd or put to death contrary to the Laws and Franchise of the Land.*

But, notwithstanding this spirited Parliament had Weight enough with the Court to carry their Petition into a Law, the King so far resented their subsequent Attempts to obtain a more effectual and comprehensive Redress of Grievances, that he dissolved them without even requiring the Attendance of the Commons, whom he stigmatized in his Speech, as *undutiful* and *seditious*, and for TWELVE YEARS after, never summon'd another.

In the Thirteenth Year however, his Majesty's Wants got the better of his <sup>1640.</sup> Prejudices, and Parliaments were again brought into Play; but without the desired Satisfaction either to the King or the Nation: The First being abruptly dissolved after it had sate but three Weeks and one Day; and the Second as absurdly render'd perpetual in Effect, by the King's parting with

his own Power of dissolving it, unless with the Consent of both Houses.

As the Nation had smarted so severely by the long Disuse of Parliaments, it was but natural, that, when the Time would permit, they should endeavour to prevent the like Grievances for the future: accordingly the \* Triennial Bill, (which was pass'd  
Feb.

\* In the Debate upon this Bill, the Lord George Digby, afterwards Earl of Bristol, thus express himself.

'It hath been a Maxim among the wisest Legislators, that whosoever means to settle good Laws, must proceed in them, with a sinister Opinion of all Mankind; and suppose that whosoever is not wicked, it is for Want only of the Opportunity. It is that Opportunity of being ill Mr. Speaker, that we must take away, if ever we mean to be happy, which can never be done, but by the Frequency of Parliaments.

No State can wisely be confident of any Public Minister's continuing good, longer than the Rod is over him.

Let me appeal to all those that were present in this House at the Agitation of the *Petition of Right*: And let them tell themselves truly, of whose Promotion to the Management of Affairs do they think the Generality would, at that Time, have had better Hopes, than of Mr. *Noy*, and Sir *Thomas Wentworth*; both having been at that Time, and in that Business as I have heard, most keen and active Patriots, and the latter of them, to the eternal Aggravation of his Infamous Treachery to the Common-Wealth be it spoken, the first Mover, and Insister to have this Clause added to the *Petition of Right*, 'That, for the Comfort and Safety of his Subjects, his Majesty would be pleased to declare his Will and Pleasure, that all his Ministers should serve him according to the Laws and Statutes of the Realm.'

And yet Mr. Speaker, to whom now can all the Inundations upon our Liberties, under pretence of Law, and the late Shipwreck

*Feb. 15, 1640-1.* and which provided that a Parliament should be held in *England* every Third Year, and that the Lord-Keeper and Chancellor of the Duchy should be sworn to issue the Writs, or in Default to lose their Places,) was made Use of, as a just and wholesome Expedient to answer this salutary End; but agreed to by his Majesty, with the worst Grace in the World; since he more than hinted, That it was a Favour, which they little deserv'd.

Upon which Occasion Mr. *May*, the Parliament-Historian, expresses himself with much good Sense as follows:

Shipwreck at once of all our Property, be attributed more than to *Noy*, and all those other Mischiefs whereby this Monarchy hath been brought almost to the brink of Destruction, so much to any as to that *Grand Apostate* to the Commonwealth, the now Lieutenant of *Ireland*?

The first I hope *God* hath forgiven in the other World; and the latter must not hope to be pardoned it in This, till he be dispatch'd to the other.'

Let every Man but consider those Men as once they were.

The excellent Law for the security of the Subject enacted immediately before their coming to Employment, in the contriving whereof themselves were principal Actors.

The Goodness and Virtue of the King they served, and yet the high and public Oppressions that in his Time they have wrought. And surely there is no Man but will conclude with me, that as the Deficiency of *Parliaments*, hath been the *Causa Causarum* of all the Mischiefs and Distempers of the present Times; so the frequency of them is the sole Catholic Antidote that can preserve and secure the Future from the like.'



‘It is observable in the Course of Histories, how much Kings, in such limited Monarchies as that of *England*, do in Time, by Degrees, gain upon the People’s Rights and Privileges: That those Things which, by Constitution of the Government, the People may challenge as due from the Prince, having been long forborne, become at last to be esteem’d such Acts of extraordinary Grace, as that the Prince is highly thank’d for granting them.’

‘Such was the Case of this Triennial Parliament Bill, as both Houses, afterwards, when the unhappy Division began, and the King upbraided them with this Favour, could plainly answer: *That it was not so much as by Law they could require; there being two Statutes then in Force, for a Parliament once a Year.*’

It is not my Design to wade thro’ the mighty Controversy between this unhappy Prince and his People, or to expose the Encroachments made on one Side, or the Infincerities practis’d on the other: As all, at last, ended in Anarchy; and the *Petition of Right*, and the *Triennial Bill*, were the only solid Advantages, except the abolishing of the *Star-Chamber* and high *Commission Courts*, which remain’d to the  
Com-

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Common-wealth at the Time of the *Restoration*, I shall pass the Gulph at once, and resume the Constitution as I find it, when that great Event took Place.

S E C T. II.

*Of the Parliaments held during the Reigns of King Charles II. and James II.*

The People return a Representative <sup>1660.</sup> on a Republican Basis, that Representative admit the Lords to their antient Share in the Legislature, and both Houses in Conjunction, in the Instrument they set forth, for the Proclamation of the King, tacitly renounce the Right of Approbation, if not Election, reserv'd to the People in the Coronation-Ceremony, by a solemn Declaration of his Majesty's hereditary Right without Reserve; and afterwards, with more Generosity than Policy, invite him to take Possession of the Throne, without Conditions or Limitations, which seem only to have been thought of, in order to be rejected.

It must, however, be remember'd to the Honour of this Parliament, that, tho' the whole Nation was in a Manner become Courtier at once, and scarce any Concessions, to the Prerogative would then have

been held too extravagant, they, nevertheless, did not proceed to settle the \* Revenue on one Hand, without deriving some Advantage to the Public on the other; as is evident by their Stipulation for abolishing the *Court of Wards and Liveries* in lieu of a † Grant of 100,000 *l. per Ann.* Nay, that the important Port of *Dunkirk*

\* Which was advanced to 1,200,000 *l. per Annum*, tho' that of King *Charles I.* amounted to no more than 895,389 *l. communibus annis.*

† The iniquitous Use which was made of this Grant may be seen in the following Quotation from a Pamphlet publish'd by Mr. *Hampden*, Anno 1692.

Soon after the Restoration of King *Charles II.* the House of Commons express'd a Desire, as their Predecessors had often done, to take away the *Court of Wards*, and they had long Deliberations how to settle upon the Crown a Recompence for it; many Ways were propos'd (as is usual in such Cases) but at last it was thought best to lay it on Land; and they agreed the Sum to be 100,000 *l. per Ann.* and appointed a Committee to settle an equal Rate upon every County towards it. This wou'd have procur'd another great Advantage to the Nation, and especially to the associated Counties and others, that are over-tax'd in the Monthly Assessment, by bringing in a just and equal Way of Taxing all the Lands of *England*, according to their true Value. The Committee, in pursuance of the Order of the House, having taken great Pains in settling a new Rate, at length agreed upon one, and reported it to the House, and it is entred in the Journal. But while they were taking all these Pains, the Court was privately informed, by some self-designing Men, that it would be of much greater Advantage to them, to get a Grant of the Excise upon Beer and Ale, since the Value of that was unknown; and they assured them, that it would amount to a  
Sum

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*kirk* was not for ever annex'd to the Crown of *England*, was no Fault of theirs, since they sent up a Bill for that Purpose

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Sum vastly beyond what the Parliament intended them in lieu of the *Court of Wards*. These Men encourag'd the Court to undertake this Work, and promis'd their Assistance and Endeavours for the Success of their Proposal : Hereupon the Court resolv'd to push for the Settling of the whole Excise, and by threatening privately the Members of that House with a Dissolution ; and by giving to some considerable Places, they got a Question put, to settle one Moiety of the Excise (which had been invented and rais'd on evident Necessity, in the Time of Civil War, and not granted longer than a few Months) upon the Crown in Fee, in lieu of the *Court of Wards*, and the other Moiety on the King for his Life. The former Part, to give the Moiety in Fee in Recompence of the Wardships, was carry'd in the Affirmative, tho' in truth, it was the giving 300,000 *l.* a Year for one, for which that House is justly blam'd, and will be so, as ill Husbands for the Kingdom, and unfaithful to their Trust. A great Parliament-man, late deceased, undertook to make out, it was the giving away the Barley-Land of *England*. The other Part, *viz.* to give the other Moiety for Life (as much as that House was influenced by the Court) was first carry'd in the Negative, which enraged them to such a Degree, that, the next Day, a Message was sent to the House, to let them know they were to be dissolved a Month after. This was a strange and unusual Message ; they might have been quickned to dispatch public Bills, and told, the Session would be but short ; but the Message, as sent, put Men throughout the Kingdom on supplanting them. If the Members staid in Town (and go they could not without Leave of the House) their several Interests in their Counties, were endanger'd. If they went down, the Settling the Excise, for Life, might be carry'd in their Absence. This was the Dilemma the Court had brought 'em to, and accordingly it was granted before that Session ended.

pose to the House of Lords, where Ways and Means were found to put a Stop to its farther Progress; *Dunkirk* being look'd upon as a marketable Commodity, which might be either pawn'd or sold for ready Money at any Time. \*

Parliaments are like Silk-Worms; having spun their Thread, and laid their Eggs, they die: Thus even *This* which had done so much for his Majesty, was dismiss'd at the End of its second Session, having subsisted but eight Months upon the Whole; and a new One was *prepar'd*, which it was presum'd would be yet more favourable to those Court-Embrios, which in the Fulness of Time, were to be brought to Light.

1661. Accordingly, the House of Commons, which in the Convention-Parliament had been compos'd principally of *Presbyterians*, had now as large a Majority of Bigots to the Church, who, in their first Session, to manifest their Zeal, restor'd the *Bishops*, by Bill, to their Seats in the House of Peers, from whence they had been excluded ever since *February 1649*;

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\* An Event which soon after took Place; as did likewise the King's Marriage with a Princess of *Portugal*, and both as far as it appears, without the least Censure, Complaint, or Notice of Parliament.

and,

and, in Evidence of their Loyalty, by an exprefs Act, under the plaufible Title of guarding againſt Tumults and Diſorders, upon Pretence of preparing and preſenting Petitions, provided, That the Subject's Right in that Particular, ſhould no more become formidable to the Crown, by limiting the Number of Hands that ſuch Petitions ſhould be ſigned by.

The Reverend Fathers of the Church, thus reſtored to their Power in the State, in the very next Seſſion, took Advantage of the Tide which was now turn'd ſo ſtrongly in their Favour, and enter'd into Meaſures with the Court, for rendering Monarchy and Episcopacy alike impregnable for the Time to come; of which the *Corporation, Militia, and Uniformity Bills*, were the Foundations: For by the Two firſt, no Perſon could be admitted into any Place of Power and Truſt, Civil or Military, without taking an Oath; That it was not lawful, upon any Pretence whatever, to take up Arms againſt the King, and that he did abhor that traiterous Poſition, That Arms may be taken by his Authority againſt his Perſon, or againſt thoſe commiſſion'd by him: And by the laſt, every Clergyman was ſaddled with the ſame Oath: and alſo obliged to ſubmit his Conſcience to the

the Law, and profess to *believe* as he was taught. In the Preamble to the *Militia* Bill, it was moreover declared, That all Military Power was wholly in the King, and that both or either of the Houses of Parliament cannot, nor ought not to pretend to the same : And, that his Majesty might be arm'd at all Points, his liberal Commons made him a Compliment of 1,200,000 *l.* to be disposed of as he pleas'd ; and laid the *Press*, for a certain Term of Years, under the arbitrary Dominion of a *Licenser*.

They likewise offer'd Ten *per Cent.* for Money to be advanc'd to the King by Way of Loan ; and his Majesty try'd his Credit with the Public accordingly ; but, notwithstanding the Largeness of the Interest, found such insuperable Difficulties attending the Project, that, at his own Request to the Commons, it was laid aside : Indeed so great was the National Discontent already become, that, as we are told by Bishop *Parker*, a Deputation was sent from the Commons to the King, with Complaints, That they had received Letters and Messages from almost every County, concerning an *Universal* Conspiracy against the Kingdom, &c.

Upon so yielding a Parliament,  
1662. however, the King, with good Reason,  
son,

son, presum'd he might try what Practices he pleas'd: In the Recess, therefore, his Majesty took upon him to dispense with the *Act of Uniformity*, under Pretence of shewing *Indulgence* to the *Dissenters*, but in Reality to pave the Way for a *Toleration* in Favour of *Papists*: But in this particular the Commons adhered to the Bishops against the King, and refus'd to enable him to do by Law, what he had ventur'd to do without: But nevertheless *sweeten'd* him with a Grant of Four Subsidies, and by a new Bill, strengthened his Hands yet farther with Regard to the *Militia*.

All this Access of Power to the Crown had been granted freely, not exacted, within the short Space of Three Sessions: But all this was not enough; and his Majesty, wanting to have his Hands yet more at Liberty, at the Opening the Fourth, expresses himself as follows:

' Some wou'd still insist upon the Authority of the Long Parliament, of <sup>1664.</sup> which they say they have Members enough willing to meet: Others have fancied to themselves, by some Computation of their own, upon some Clause in the Triennial Bill, that this present Parliament was at an end some Months since; and that for want  
of



of new Writs, they may assemble themselves, and chuse Members for Parliament: And this is the best Expedient to bring themselves together for their own Purposes. For the Long Parliament, You and I can do no more to inform and compose the Minds of all Men; let them proceed upon their Peril. But methinks there is nothing done to disabuse them in respect of the Triennial Bill. I confess, my Lords and Gentlemen, I have often myself read over that Bill; and tho' there is no Colour for the Fancy of the Determination of this Parliament, yet I will not deny to you, that I have always expected you would, and even admired you have not consider'd the wonderful Clauses in that Bill, which pass'd in a Time very uncareful for the Dignity of the Crown, or Security of the People. I pray, Mr. Speaker, and you Gentlemen of the House of Commons, give that Triennial Bill once a Reading in your House; and then, in God's Name, do what you think fit for me, and yourselves, and the whole Kingdom. I need not tell you how much I love Parliaments: Never King was so much beholden to Parliaments as I have been: nor do I think the Crown can ever be happy without frequent Parliaments. But assure yourselves,

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selfes, if I did think otherwise, I would NEVER SUFFER a Parliament to come together by the Means prescribed by that Bill.'

These Instructions were not disputed but obey'd; the People were to be every Way disarm'd; and, to mortify them yet more, by their own Act and Deed: But, lest I should be thought to aggravate the Features of these Court-Implements, let us have Recourse to their own Sentiments, deliver'd by the Mouth of their own Speaker, Sir *Edward Turner*, at the Close of the Session.

' The first Thing we took into Consideration, was the Act made in the 16th of the late King, of glorious Memory, for Triennial Parliaments: When we had given it a Reading, we found it *derogatory* to the *essential Prerogative* of the Crown, of Calling, Holding, and Dissolving Parliaments: We found it unpracticable, and only useful to learn the People how to *rebel*; therefore we melted it down, extracted the pure Metal from the counterfeit and drossy Allays, and then presented it to your Majesty to be new stamp'd, and made current Coin for the Use of the Nation. We do return our most humble Thanks to your Majesty,

Majesty, that you were pleas'd to accept our Advice, and to pass our Bill: but more especially for those gracious Expressions your Majesty was pleas'd to use at that Solemnity, whereby we are assured not only of your personal Affection to Parliaments, but of your Judgment also, That the Happiness of the Crown consists in the Frequency of Parliaments. In the next place we review'd the Act for Chimney-Money, which we intended a great Branch of your Majesty's Revenue, although by some Mistakes it is fallen short: And, in hopes your Majesty may improve that Receipt, we have prepar'd a Bill for Collecting that Duty, by such Officers as your Majesty and your Successors shall from time to time think fit to appoint.'

' Whilst we were intent upon these weighty Affairs, we were often interrupted by Petitions, and Letters, and Motions, representing the unsettled Condition of some Counties, by reason of Fanatics, Sectaries, and Nonconformists: They differ in their Shapes and Species, and accordingly are more or less dangerous; but in this they all agree, they are no Friends to the Establish'd Government either in Church or State. And if the old Rule be true, *Qui Ecclesiæ contradicit, non est pacificus*, we have  
great

great Reason to prevent their Growth, and to punish their Practice. To this purpose we have prepared a Bill against their frequenting of Conventicles, the Seed-plots and Nurseries of their Opinions, under Pre-  
 fence of religious Worship. "The first Offence is made punishable with five Pounds, or three Months Imprisonment, and ten Pounds for a Peer: The second Offence with ten Pounds, or six Months Imprisonment, and twenty Pounds for a Peer; but the third Offence, after a Tryal by a Jury, and the Tryal of a Peer by his Peers, the Party convicted shall be transported to some foreign Plantation, unless he lays down a hundred Pounds." *Immedicabile Vulnus Ense rescindendum, ne Pars sincera trabatur.'*

The fifth Session produc'd nothing remarkable beside the Grant of Twenty-four Hundred Thousand Pounds, in less than *Twenty-four* Hours after the House met, as it was quaintly signify'd by the Speaker to the King, in Compliance with a Court Scheme for a War with *Holland*: But in the next Session held at *Oxford* (by way of Sweetener for the Declaration of Indulgence) the Church was compli-  
 1665.  
 mented with the famous *Five-Mile Act*, and

an Attempt was made to impose the famous *Non-resisting* Oath, before quoted, on the whole Nation; which miscarry'd, by what was then call'd a Providence; for Mr. *Peregrine Bertie*, being newly chosen, was that Morning introduced to the House by his Brother, and Sir *T. Osborne*, afterwards created Earl of *Danby* and Duke of *Leeds*, who all three giving their Votes against the Bill, it was, by those three Votes only, thrown out.

Hitherto the Parliament had obeyed the King's Pleasure in all Things, except the Affair of the Indulgence; but in the seventh Session, the Lords joining with his Majesty in an Attempt, to annex the Taking and Settling the Public Accompts to the Prerogative, the Commons voted it to be Unparliamentary, and tho' the King now ventur'd to treat them more cavalierly than ever he had done before, at once maintained their Temper and their Privileges.

In some of the following Sessions, the Two Houses continued at Variance, and the King did not find his Affairs go altogether so smoothly thro' the Commons; but, at length, having gratify'd them with Penal Laws against *Dissenters* on one Hand, and *Papists* on the other, they became again so tractable

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tractable as to give him whatever Subsidies he ask'd ; infomuch, that even the Lords took the Alarm, and thought it adviseable to interfere ; lest the Representatives of the People should at once beggar their Constituents, and render the Upper House *Vox & præterea Nihil.*

But, tho' they had been hitherto <sup>1672-3.</sup> induc'd to fleece the People thus unmercifully, they still kept a Guard on their own Rights ; infomuch, that, when the Lord Chancellor *S Shaftesbury* had taken upon him to issue out Writs for filling up the Vacancies of the House, which ought to have been done by an Order of the House to the Clerk of the Crown, they immediately vacated those Writs, and expell'd the Members which had been return'd by them : They likewise took the Alarm at the King's Declaration of Indulgence, set forth during the Recess, and by their vigorous Remonstrances, oblig'd him to cancel it : After which, justly apprehending that *Popery* was even at the Doors, they took some Steps in favour of the *Dissenters*, (whom they had hitherto treated more as Enemies than Brethren) presented one Address against *Popish* Recusants, and in another laid before his Majesty a State of the Public Grievances.

It was in their Eleventh Session, that they thus recollected the great Ends for which they were chosen ; and in their Twelfth, continuing to act upon the same laudable Principles, they address'd against the Duke's second Marriage with a *Popish* Princess, and voted Standing Armies, *French* Alliances, and evil Counsellors, to be Grievances; for which they were punish'd with an abrupt Prorogation.

But this did not deter them from  
1673. resuming the same Pursuit at their next Meeting, when they proceeded vigorously against the whole CABAL, voted the King's GUARDS to be Anti-constitutional, and, to their immortal Honour, prepar'd and pass'd the *Habeas Corpus* Bill, to preserve the Person of the Subject from the Power of the Prince.

From hence to the End of the Eighteenth Session, when they were dissolved, the Majority continued firm to the true Interest of the Nation; of which *Echard* himself could not forbear inserting the following remarkable Testimonial, from the Authority of Sir *William Temple* :

“ The Constitution of the present House of Commons, that had sat near seventeen Years, was now more manifestly grown into

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into two Parties, which were call'd by the Name of the *Court* and the *Country*: The Former were grown numerous, by a Practice introduc'd about five Years before this Time, by the Lord Treasurer *Clifford*, of downright buying off one Man after another, as they could make the Bargain. The *Country* Party still continu'd the Majority, and retain'd more Credit upon the Corruption of the others, and their Profession of Adherence to the true Interests of the Nation, especially in the Points of *France* and *Popery*: Where these came in question, many of the Court Party voted with those of the Country, who then carried all before them; but whenever the Court appear'd to fall in with the true Interests of the Nation, especially in those two Points, then many of the Country Party, meaning fairly, fell in with the Court, and carried the Votes; as they soon did upon the King's Pretence to grow bold with *France*, and resolve upon a War, if the Peace was refus'd."

I have been thus particular as to the Transactions of the Long Parliament, both in Correspondence to my general Design, and likewise to rescue its Memory from the Brand fix'd upon it in the Lump, by



the Word *Pensionary*; which hath ever since been annex'd to it; but which belongs, in my humble Opinion, much more remarkably to some of their Successors, who have scarce the Merit of one Negative on a Ministerial Proposition, or one Affirmative in Compliance with the Voice of their Country, to plead in Arrest of Judgment, or Mitigation of Punishment. But of this more when Time shall serve.

That this Long Parliament, how-  
 1675. ever, was not accus'd of Corruption without Reason, is plain from the following Test, which was not only propos'd, but enter'd in the Journals of the House, (tho' never pass'd into a Vote) as a wholesome Expedient to preserve the Innocent, and reflect double Infamy upon the Guilty.

*“ I A. B. do protest before God, and this House of Parliament, that, directly nor indirectly, neither I, nor any for my Use, to my Knowledge, have, since the first Day of January 1672, had, or received any Sum or Sums of Money by ways of Imprest, Gift, Loan, or otherwise from the King's Majesty, or any other Person by his Majesty's Order, Direction or Knowledge, or by Authority deriv'd from his said Majesty, or any Pardon, Discharge, or Respite of any Money due to his said Majesty*

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*Majesty upon Account, or any Grant, Pension, Gratuity, or Reward, or any Promise of any such Office, Place or Command, of or from his Majesty, or out of any Money, Treasure; or Estate, of or belonging to his Majesty, or of, from, or by any foreign Ambassador, or Minister, or of, or from, or by any other Person in the Name, or by the Appointment, or with the Knowledge of his Majesty, or any of them; otherwise than what I have now in Writing faithfully discover'd, and deliver'd to this House, which I have subscrib'd with my Name: Neither do I know of any such Gift, Grant, or Promise so given or made since the said Time to any other Member of this House, but what I have also insert'd in the said Writing; nor have I given my Vote in Parliament for any Reward or Promise whatsoever. So help me God, &c."*

We have likewise a List of Twenty. 1679. seven Pensioners by Name, together with their Allowances, as also a Record, that Charles Bertie, Esq; had a Patent for disposing of 20000*l. per Ann.* Secret-Service-Money out of the Excise; to which ought to be added, a Declaration in Parliament of Sir Robert Howard's, Auditor of the Exchequer, That in two Years Time the said Mr.

*Bertie* had receiv'd 252,467 l. 1 s. 9 d. on the same Account.

Besides all which, Mr. *Marvel*, in one of his Letters, declares, that Apostate Patriots were bought off, (when the King's Debts were to be saddled on the People) some at Six, others at Ten, one at Fifteen Thousand Pounds in Money, besides Offices, Lands, and Reversions to others; so that it is a Mercy, says he, they gave not away the whole Land and Liberty of *England*.

The three subsequent Parliaments held in the Reign of King *Charles II.* cannot be accus'd of temporising with the Views of the Court; on the contrary, they are perhaps liable to blame, for being Righteous over-much; for insisting too rigidly on the *Exclusion*-Bill, and refusing the Project of Limitations, so frequently offer'd by the Crown, and which, with right Management, might have put an End to Faction and establish'd Liberty for ever. But it is the Curse of Mankind, to love to *be of the Outside of Enough*, as SHAKESPEARE somewhere expresses it, and by grasping at too much, to lose all.

For the only Parliament held by  
<sup>1685.</sup> King *James*, tho' they stretch'd their  
 Complaisance rather too far, in granting  
 him

him the Revenues enjoy'd by his Brother, (which he had already enter'd upon without waiting for their Leave,) and taking his *Royal Word* for the Security of the *Church of England*, it cannot be said they ever lost Sight of the true Interest of the Common-Wealth; since they refus'd to countenance his arbitrary Measures, tho' practis'd upon by all the Arts that Policy could devise, and were therefore punish'd with a Dissolution.

S E C T. III.

*Of King William's Parliaments.*

To treat of the Omissions of Parliaments would be an endless <sup>1688,</sup> Work: but, when we are to speak of the *Convention*, summon'd by the Prince of *Orange*, how can we help expressing our Amazement, notwithstanding, that they did not keep his Highness a little more strictly to his *Declaration*; that, in their Instrument of *Rights*, they had not an Eye to the Corruption prov'd upon the House of Commons in the Reign of King *Charles II.* that no Expedient was propos'd and insist'd upon, for the annual Redress of Grievances, and that they should mention  
the

the Necessity of *frequent* Parliaments, without a single Clause to provide that they should be *frequent*, or even specifying what they meant by the Term?

But the Sins of these express *Conservators* of the *Liberties* of their Fellow-Subjects were not of Omission only: for, in a few Days after they had made a Present of the Crown to the *Deliverer*, on the Conditions express'd in the *Declaration of Rights*, they not only wink'd at an Infraction of it, by the new King's seizing certain suspected Persons, but complimented him with a Suspension of the *Habeas-Corpus* Act; the first, which had obtain'd since the passing that excellent Bill into a Law; and, thereby set a Precedent, which hath been brought into Use, again and again, in our own Times, and may hereafter, be made Instrumental to our utter Ruin.

However, let the whole Transaction speak for itself.

The House having been put into  
 1688-9 good Humour, by a Signification of his Majesty's Pleasure, that they might, if they pleas'd, relieve the Subject from the Grievance of Hearth-Money, Mr. *Hampden* acquainted them, That he had a Message from his Majesty, as follows ' That his Majesty hath had credible Information, that there are  
 several

several Persons in and about this Town, that keep private Meetings and Cabals to conspire against the Government, and for the Assistance of the late King *James*; That his Majesty has caus'd some of these Persons to be already apprehended and secur'd, upon Suspicion of High-Treason, and that he thinks he may see Cause so to do by others, within a little Time: But that his Majesty is between two great Difficulties in this Case; for that, if he should set those Persons at liberty that are apprehended, he would be wanting in his own Safety, and the Safety of his Government and People: On the other hand, if he should detain them, he is unwilling to do any Thing, but what shall be fully warranted by Law, which he has so often declar'd he will preserve: And that, therefore, if those Persons should deliver themselves by the *Act of Habeas Corpus*, there would be another Difficulty; That his Majesty is likewise unwilling that excessive Bail should be taken in this Case; his Majesty remembering That to be one Article of the Grievances presented to him; That ordinary Bail will not be sufficient, for Men that carry on such Designs, who, in Hopes of succeeding, will not stick at forfeiting a small Sum: And that this falling

ling out, when the Parliament is sitting, his Majesty, therefore, thought fit, to ask the Advice of the House therein, and intends to advise with the Lords also.'

*Resolved, Nem. con.* That the humble Thanks of this House be return'd to his Majesty for his most gracious Message, in desiring the Advice of this House. And that a temporary Bill be brought in, to empower his Majesty to apprehend and detain all such Persons as he shall have just Cause to suspect are conspiring against the Government.

The same Day, the Lords sent down an Address, in which they advis'd and desir'd the King to secure suspected Persons, till the first Day of Term, for the Concurrence of the House; as, likewise, signify'd by by Message, That they had enter'd in their Journals, a like Vote with that of the Commons, relating to the standing by the King, &c. with their Lives and Fortunes.

The 4th, *The Temporary Bill for suspending the Habeas Corpus Act*, being read; an Amendment was propos'd, That That present Act shall continue till the 17th of *April*, and no longer, and agreed to. But a Second in these Words (*and is never to*

to be drawn into Precedent or Example hereafter) was rejected.

A Clause was then offer'd by way of Addition to the said Bill, which provided, That the Expences and Fees of all Persons so committed, should be defray'd by the Public: which was likewise over-ruled.

After which, a Proviso being first inserted, That the said Act should not any way affect the Privileges of Parliament, or the Persons of the Members, till the Matter of Suspicion be first communicated to the House, the Bill was passed; which gave Occasion to a Jacobite Writer of Note, of those Times, to publish in a Piece call'd *Great Britain's just Complaint*, the following severe Remarks,

“ Was not the *Habeas-Corpus*-Act suspended for many Months? It's true this was done by Parliament, but so much the worse; if our own Delegates, in whose Hands we trust the Care, but not the entire Surrender of our Liberties, make a Compliment of that which is not in their Power to the Ambition or Necessities of any Prince. Parliaments can no more justly over-turn the Foundations than the Prince. Such Privileges as are deriv'd from King and Parliament, upon the Account of the Subjects



jects Temporary Conveniences, are trusted to the Review of the same Court; but those fundamental Privileges, which are the Birth-Right of Nations, and derived Originally from the Laws of Nature itself, such as the Freedom of our Persons, and Dominion over our Properties, fall only under the Cognizance of Parliaments, for their better Establishment against such Breaches, as the depraved Nature of Princes and their Ministers will be making upon them: The Nature and Design of Societies hath occasion'd a partial Submission of these two great Native Privileges, to the Safety of the Body-Politic by punishing of Crimes; and to the Support of it by Taxes, which we grant ourselves: But in no Construction of Reason, Sense, or Justice, can Delegates be understood to be empower'd to make an entire Surrender of those Rights into the Hands of any Prince, were it but for a Moment. It may be alledg'd, That the Safety and Necessity of the Government, put our Rulers upon such extraordinary Measures. If Reasons and Pretences of State (the Secrets of which are always lock'd up in the Prince's Breast) can apologize for such bold Strokes against our most Fundamental Privileges and Laws, where is there any Right or Immunity,

## Parliaments of England. III

Immunity, which we can call our own, or be assured of? Since such Pretences shall never be wanting to entitle the Prince to an absolute Dominion over our Property, as well as over our Liberty; since the last is more valuable than the first, Why may not Reasons of State, as justly render him Master of the One, as of the Other?

If it was to preserve our Liberties from the Insults of King *James*, we placed the *Prince* upon the Throne, we have certainly either mistaken the Disease or the Cure, since he cannot be preserved upon it at a cheaper Rate, than a Sacrifice of what we intended to preserve: We are to learn nothing from this Revolution, but a surer and more infallible Way of Enslaving the Subject. King *James* never dream'd of such a Method. An *English* Parliament was hitherto esteemed a Court inseparable from the true Interest of *English* Men, but a little more Training under so good a Master may make them change Principles, and become in Time as complaisant and good-natur'd as ever the *French* and *Swedish* States were. Nothing it seems, in Gratitude can be refus'd to our *Deliverer*. But tho' Gratitude be a Virtue, it ought to have its Bounds, lest it run

us

us farther than we designed or intended at first; even to the Destruction of those Rights, for the Preservation of which we desire to appear so grateful. The King of *Denmark*, in our Time, by the Merit of some Action performed for his People, and during their first Raptures of Gratitude for it, found the Way to enslave them, by changing an Elective and Limited, into an Hereditary and Despotic Monarchy. To return to the House of Commons:

They likewise, in a Poll-Bill for *the Reducing Ireland*, and in another for *the Relief of their Majesty's Protestant Subjects in Ireland*, declar'd the \* *Irish*, then under King *James's*

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\* Moreover, Mr. *Bevil Higgons* in his *Short View*, observes the Case of the *Irish* Nation to be so peculiarly hard, that there is scarce an Instance of the like Nature; most of the Outlawries running for Treasons committed on the 13th Day of *February* 1688, which was the Day the then Prince and Princess of *Orange* accepted the Crown in the Banqueting-house, the News of which could not be known on the other Side of *St. George's* Channel the same Day, without Inspiration: But every Body knows, at that Time, the Government of *Ireland* was entirely in the Possession of the late King *James*, by his Lieutenant the Earl of *Tyrconnel*, who had an Army on Foot to have kept the People in Obedience, tho' they should have had never so great an Inclination to revolt: Soon after, the late King *James* ventures in Person to that Kingdom, where he was, without Dispute, a King *de facto*, to whom our own Laws and Principles justify a Submission; upon which this unfortunate People were reduc'd to this

## Parliaments of England. 113

*James's* Possession and actual Government, to owe their Obedience to King *William*, and for Breach thereof to be Rebels, tho' King *James* had been solemnly recogniz'd by the Estates of that Realm.

But, notwithstanding this Stretch of Complaisance in the House, notwithstanding their Readiness to satisfy the Demands of *Holland*, on account of the late *Deliverance*, notwithstanding their coming so warmly and heartily into the King's favourite Measures of a War with *France*, notwithstanding their going such, till then, unprecedented Lengths in impoverishing the People, by a Multiplicity of Taxes, and notwithstanding the Crown his Majesty wore was their free Gift, at the End of their second Meeting, like the *Convention* which

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this Dilemma of being hang'd by one King or the other, let them chuse which Side they would; but what aggravates the Hardship of their Case, with respect of the Authors of this Oppression is, that those *Irish* who were the most forward to fling themselves into the *English* Protection, as soon as they had an Opportunity, have far'd the worst, and lost their Estates only for submitting to Civil Authority; whereas others, who held out to the very last, and were the Occasion of shedding more Blood by a Prolongation of the War are all indemnify'd by the Articles of *Limerick*, which they made with their Swords in their Hands; by which Example, Posterity will be instructed to hope for more Safety and better Quarter by a desperate Resistance, than an early Submission.

## 114 *A Detection of the*

restor'd King *Charles II.* they were dissolved.

So difficult it is to oblige Sovereigns to be grateful, and so impossible to serve *God* and *Mammon* ! They had been too profuse of their Concessions to the Prince to retain the Affections of the People ; and by retaining and expressing some † Regard to the

† Of which the *Bill of Rights* is a noble Proof, as appears by the following Clauses :

1. " That the pretended Power of suspending Laws, or the Execution of Laws by regal Authority without Consent of Parliament, is illegal."

2. " That the Commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other Commissioners and Courts of the like Nature, are illegal and pernicious."

3. " That levying Money for, or to the Use of the Crown by Pretence of Prerogative, without Grant of Parliament, for longer Time, or in other Manner, than the same is, or shall be granted, is illegal and pernicious."

4. " That the raising or keeping a Standing Army within the Kingdom (in Time of Peace) unless it be with Consent of Parliament, is against Law."

5. " That the Subjects, which are *Protestants* may have Arms for their Defence suitable to their Conditions, and as allowed by Law."

6. " That Elections of Members of Parliament ought to be free."

7. " That the Freedom of Speech and Debates or Proceedings in Parliament ought not to be impeached or questioned in any Court or Place out of Parliament."

8. " That excessive Bail ought not to be requir'd, nor excessive Fines imposed, nor cruel and unusual Punishments inflicted."

9. " That

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the People, they lost the Confidence of the Prince.

When, therefore, a new Parlia- 1690.  
ment became necessary, Care was  
taken to form it of the most kindly Ingre-  
dients possible, that unnatural Mixtures  
might not engender such Ferments as no  
Medium in Royalty could be found to  
compose. Accordingly, the *State-Under-*  
*takers* of those Times, acted up to the  
Spirit of their Instructions; and it soon ap-  
pear'd that those they procur'd to be re-

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9. "That Juries ought to be duly impannelled and return-  
ed, and Juries, which pass upon Men in Trials for High  
Treason, ought to be Freeholders.

10. "That all Grants and Promises of Fines and Forfeitures  
of particular Persons before Conviction, are illegal and void."

11. "That for Redress of all Grievances, and for the  
amending, strengthening and preserving of the Laws, Parlia-  
ments ought to be held frequently."

12. "That all Dispensations passed by *non obstante* to Acts  
of Parliament, except in Cases provided for by Law, shall be  
void."

13. "That every Person or Persons, that is, are, or shall  
be reconciled to the Church of *Rome*, or shall marry a *Papist*,  
shall be excluded, and be for ever incapable to inherit, possess,  
or enjoy the Crown and Government of this Realm, and *Ire-*  
*land*, and the Dominions thereunto belonging, or any Part of  
the same, or to have, use, or exercise any legal Power, Au-  
thority or Jurisdiction within the same, and in all and every  
such Case or Cases, the People of these Realms, shall be, and  
are hereby absolved of their Allegiance, and the Crown shall  
descend to the next *Protestant* Heir."

turn'd thought themselves more bound in Interest to act rather as Co-adjutors to the King, than as Servants of the Commonwealth.

Tho' the second Convention, like the First, enter'd so deeply into the Measures of the Throne, they had still some Reserve of Modesty; and, tho' they bestow'd the Sovereignty on their *Deliverer*, without Limitations, they would not do the same by his Revenue: It was reasonable, they thought, to have some Check on their new Master; and while he depended on the Good-will of his People for his Household Establishment, they made no Question, but that, out of a due Regard to his own Interest, he would not wholly trample upon theirs.

But this subsequent Sett of *Revolution-Patriots*, took immediate Care even to remove that Restraint likewise, and complimented the Prerogative with an Establishment *for Life*; which, indeed, they somewhat qualify'd, by an † Act to prevent the  
Aliena-

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† "It appear'd to the Commons, that besides all Grants of Lands by King *Charles* and King *James*, there was above 200,000 *l. per Ann.* Charge laid on the Revenue, and therefore to prevent the like for the future, and that the Court might not, when they pleas'd, without Parliament, tax us by their

**Alienation of the Crown-Revenues, upon any Pretence whatever.**

Now it was that to grant Supplies, and find out Ways and Means, became the principal Business of Parliament; and that Three, Four, and Five Millions were first rais'd or borrow'd to make good the current Charge of the Year; which laid the Foundation of that monstrous public Debt, and the unforeseen Access of Power arising thereby to the Crown, which the Nation groans under at this Day.

During the Third Session, likewise, they complimented his Majesty with a Ratification of the Articles of *Limerick*; of which Transaction the *Jacobite* Writer before quoted, descants in the following severe Manner:

“ The *Irish* Treaty furnisheth us with a convincing Proof of this, where such In-

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their Patents, which our Estates must make up, there was a Proviso added to the Bill for settling the hereditary Revenue to make all Grants void against a Successor. And tho', besides the Reasons above-mentioned, the State of Affairs, and the Charge of making War, was so much greater than formerly, and requir'd such Provision, how heinously and spitefully was it represented by some as if it proceeded only from Prejudice to King *William*? so that, tho' the Act went thro' the House of Commons, to be lodg'd with the Lords, with them it slept.” See *Mr. Hampden's Pamphlet before quoted.*



dulgences were granted unto them solely and singly by his own Authority, with relation to the Exercise of their Religion, preserving of their Arms, Dispensation from Oaths, and Security against Pursuits for their Plunderings; as were directly contrary to the Laws of the Land, the Safety, Rights and Privileges of the *Protestant* Subjects of that Kingdom. This Treaty, I do acknowledge, was afterwards ratify'd by Parliament; but though, in some Cases, the Authority of Parliament may give a legal Being for the future, yet that new Life commenceth only from the Date of their Sanction, and doth not justify preceding Errors: And the many Difficulties which arose in both Houses, about the Ratification, was about an Inuendo, how dangerous and illegal they judged the Treaty to be. How strangely are we altered? King *James's* Exercise of this Dispensing Power, could neither be forgotten, nor attoned for; but King *William's* Stretch that Way, shall obtain a Parliamentary Approbation: Such is the Justice and unbiassed Integrity of these Times."

But, as *Milton* says of the fallen Angels, neither did these lose all their Virtue, lest bad Men should boast: For, in their first  
Session

## *Parliaments of England.* 119

Session they propos'd a Bill, which provided, "*That whereas the Election of Members to serve in Parliament ought to be free, and whereas the Wardens of the Cinque Ports pretended to, and claimed, as of Right, a Power of nominating and recommending to each of the Cinque Ports, the two ancient Towns, and their respective Members, one Person whom they ought to elect, to serve as a Baron or Member of Parliament for such Port, &c. all such Nomination or Recommendation shall be void.*"

And in their Fifth, when they were every Day falling more and more into Disgrace and Contempt with the People, on account of their implicit Obedience to the Demands of the King and his Ministers; and were charg'd in Print with selling their Votes for Pensions and Places, They shew'd some Concern for their Reputation at least, if they retain'd none for their Integrity, by preparing and passing a Bill, for free and impartial Proceedings in Parliament, by incapacitating certain Persons in Civil and Military Employments, from Sitting in the House of Commons, till re-chosē by their Constituents:

And when the King, by ministerial Ma-  
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nagement, was prevail'd upon † not to give his Royal Assent to it, they first Resolved, That whoever advis'd the King not to give the Royal Assent to the Act touching free and impartial Proceedings in Parliament, which was to redress a Grievance, and take off a Scandal upon the Proceedings of the Commons in Parliament, was an Enemy to their Majesties and the Kingdom: and then waited upon his Majesty with a suitable Representation: to which however they obtain'd but an indirect Answer, which greatly disgusted the whole Kingdom.

In the following Session, moreover, finding the People could not as yet be brought to digest Long Parliaments, they endeavour'd to make their Peace with the Public by the \**Triennial-Bill*, in which was a Clause for their own Dissolution; and set on Foot an Enquiry into their own Venalities,

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† However, Thanks to the persevering Spirit of the Patriots of those Times, some Restrictions of this Nature were afterwards carry'd, and made a Shift to obtain the Royal Assent, as likewise several Clauses relating to Bribery at Elections, Double Returns, &c.

\* Drawn up and presented by Mr. *Harley*, afterwards Earl of *Oxford*. In their Fourth Session likewise they made a Feint to oblige the People with Two Bills for frequent Parliaments, one of which was stopp'd with the Lords, and the other with the King.

which

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which open'd such a Scene of Iniquity, as, in the Comparifon, made the Penfioner-Parliament of King *Charles II.* feem innocent; and which was *then* thought to have arriv'd at the *ne plus ultra* of Corruption.

Influence, more or lefs, our Kings will ever have over both Houfes, nor did this Influence appear to be at all diminifh'd by the Revolution: But under the Awe of the *Triennial-Act*, and the yet glowing Re-ſentment of the People againſt their Predeceffors, it may be ſafely ſaid that the Third Parliament of King *William* did not wholly loſe fight of their Duty, notwithstanding.

The Popular † Bill for *Regulating Trials in Caſes of Treafon* they ſet <sup>1695:</sup> out with, in which many Things were provided for the Security of the Subject againſt

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† It was hereby enacted, “ That all Perſons indicted for High-Treaſon, or Miſprifion of it, ſhall have a Copy of the Indictment five Days before their Trial, and ſhall be admitted to make their Defence by Council learned in the Law, not exceeding two. That no Perſon ſhall be indicted or attainted, but by the Oaths of two lawful Witneſſes. That no Perſon ſhall be proſecuted, unleſs the Indictment be found within three Years after the Offence committed. That all Perſons indicted ſhall have Copies of the Jury two Days before their Trial; and ſhall have like Proceſs to compel their

against the Malignity and Craft of Statesmen; tho' Ways and Means have been since found to render them of little Use: And if the Project for regulating the Coin at first, came out of the ministerial Forge, it was both necessary and like to prove of universal Use; that therefore, what the Cabinet propos'd, this House of Commons carry'd vigorously into Execution, I cannot, in this Case, impute to them as a Reproach; Difficulties and Distresses, for the present, so great and intricate an Affair could not fail to produce in a trading Nation like ours: But of the Two great Evils, Clipping and Coining then so severely felt, and loudly complain'd of, one it render'd much more difficult, and the other effectually cur'd: So that, at this Day, we are not so much in Danger of an adulterated Currency, as of having none at all. For these Advantages, indeed, as

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their Witnesses to appear before them, as is usually granted to Witnesses against them. To this Bill the Lords added the Clause they had always insisted upon; that upon the Trial of any Peer or Peeres for Treason or Misprision, all the Peers who have a Right to sit and Vote in Parliament, shall be duly summoned twenty Days at least before such Trial, and shall not Vote without first taking the Oaths appointed by the Act I. *William and Mary*, and subscribing and repeating the Declaration mentioned in the Act made 30 Car. II. which Clause was agreed to by the Commons."

for

for all others, we have paid very dearly; since the Window-light Tax, which was granted to make good the Deficiencies of the Light-Money, &c. we have never been able to get rid of since.

But to return: In the Affair of *Darien*, the King having granted to his *Scotish* Subjects many Privileges and Advantages, which were held to be prejudicial to the Interest of *England*, the Commons expostulated so freely with his Majesty in Behalf of their Fellow-Subjects, that it was found advisable at Court to make a Sacrifice of that Colony: which the *Scots* warmly resented, but were not able to avenge.

Even in so tender a Case as where the Interest of a Bosom-Favourite, *Bentinck* Earl of *Portland*, on whom the King had bestow'd a very considerable Part of the Revenues of the Principality of *Wales*, was immediately concern'd, they had the Spirit to interpose; and their Remonstrance on that Occasion, appear'd to be of such Importance, that a Stop was put to the Grant, and his Lordship was gratify'd by his munificent Master another Way.

On the other Hand, when the King communicated the *Assassination-Plot* to the House, they unanimously enter'd into a voluntary *Association* to stand  
by -

by him with their Lives and Fortunes. But, notwithstanding the Merit of that most seasonable Compliment, his Majesty refus'd the Royal Assent to another Bill; *That for the farther regulating of Elections*; and the House put a Negative on a Motion, for an Address, to know by whose Advice he had again been induc'd to put such a Strain upon his Prerogative.

In the next Session came on the critical Case of poor Sir *John Fenwick*; who, tho' guilty, not being within Reach of the Law, was to be punish'd by Bill of Attainder; which, thro' the extreme Zeal of the House, was accordingly done; tho' such Arguments were urg'd in Opposition to it, as will ever make it a Matter of Astonishment, that they were allow'd so little Weight.

Advantage, likewise, was taken of this dangerous Crisis, to reach Malignants of a lower Class, by Methods equally extraordinary, as appears by the following remarkable Case, *viz.*

December the 8th, "The Committee, appointed to examine the Petition of one *Mary Griebe*, made their Report, by which it appeared, that *Conrad Griebe*, Husband  
of

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of the said *Mary Greibe*, having undertaken to deliver two Petitions in behalf of certain Officers and Soldiers turn'd out of Count *Stanbock's* Regiment, to the King and Parliament, was, the Day before, seiz'd by one *Kitson*, a Messenger, by Warrant from Mr. Secretary *Trumball*, charging him with treasonable Practices; That he was kept in the said Messenger's hands ten Days; during which time, he had been several times refus'd an Examination: And, that, at last, about two or three o'Clock in the Morning, he was taken out of the Custody of the said Messenger, by a Party of the *Dutch* Guards, who carry'd him on board a *Dutch* Vessel, from whence he was convey'd to *Brussels*, where he was thrown into a Dungeon, and is subsisted on Bread and Water only.

*Resolved*, That an humble Address be presented to his Majesty, that he will be pleased to cause the Informations in relation to *Conrade Greibe*, to be laid before the House; to which his Majesty by Message, the 23d, return'd the following Answer.

“ *W. R.*

“ His Majesty having receiv'd an Address from the House, whereby it was desir'd,



fir'd, that he would be pleas'd to cause the Informations, in relation to *Conrade Greibe*, to be laid before the House, is pleas'd to acquaint them, That, upon the Discovery of the late Conspiracy against his Person and Government, the said *Greibe* was taken into Custody among other suspected Persons, as concerned in that Plot; and, about the same time, several Informations being sent and delivered to his Majesty, whereby he appeared to be a very dangerous Person; his Majesty thought it for his Safety not to suffer him, being an Alien, to continue longer in this Kingdom; and did order the Duke of *Wirtemberg*, who was then going for *Flanders*, to transport him thither, in order to send him to the Elector of *Brandenburg*, his natural Prince, which was done accordingly: and the said *Greibe* was deliver'd to the General of the said Elector, who was by him appointed to receive him, together with the Informations."

But notwithstanding so much Complaisance appear'd in the House for the King's Pleasure, as furnish'd Matter for very \*  
gross

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\* As appears by the following Report made in the House of Commons, *December 30*;

" Mr. *Pocklington*, from the Committee on the Abuses of Prisons,

## Parliaments of England. 127

grofs Reflections without Door, they did themselves the Honour to reject a Bill for *Restraining the Press*, as rightly esteeming it to be one of the most fundamental Privileges of the Subject.

And in their third and last Session, when it became necessary to think of doing something for the People, they pass'd certain Votes for reducing the Army on one hand, and gratify'd the King with the substantial

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Prisons, &c. among a Variety of other Matter, reported to the House, that one *Brunsbill* a Solicitor, had inform'd the said Committee, that *Tilly* (who had lately procured an Act of Parliament to enable *Bromsbill*, an Infant, to sell his Interest in the Fleet-Prison; which he, *Tilly*, had purchas'd) as he was inform'd, should say, That he obtain'd that Act by Bribery and Corruption."

"That one Mrs. *Hancock* applying to *Tilly* not to protect one *Guy*, being his Clerk of the Papers, because he was perjured, &c. *Tilly* refused her Request: Upon which, being ask'd how he would do, if the Matter should be laid before Parliament? he reply'd, he could do what he would there; that they were a Company of bribed Villains; that, to his Knowledge, they would all take Bribes; and that it cost him 300 *l.* for his Share, and 300 *l.* for the other Shop (meaning the *King's-Bench*) for bribing a Committee last Parliament.

That she then, intimating that she must then apply to the House of Lords; he answered, it was only palming five or six talking Lords, and they would quash all the rest. And she then said, she would try the King and Council; he added, the best of the Lord-Keeper's Fees were from him: That as to the Judges, they were all such a Parcel of Rogues, that they would swallow his Gold faster than he would give it them; and that as to the Members of the House of Commons, they were many of them Members of his House.

Con-

## 128 *A Detection of the*

Confideration of a Civil List of † 700,000*l.*  
*per Ann.* for Life, on the other.

But

† *Anno* 1698, the following remarkable Paragraphs appear'd in the famous *Huff-Money* Paper, as it was call'd, publish'd by *John Lawton*, Esq;

“ Two Hundred Thousand Pounds a Year, bestow'd upon the Parliament, has already drawn out of the Subjects Pockets more Millions, than all our Kings, since the Conquest, have ever had from this Nation; and that, without any rude Complaint, is a Proof, that if a King can manage well Mr. *Guy's* Office, he may, without much ado, set up for Absolute: *Venalis est Anglia, for Venale est Parliamentum.* Heretofore, indeed, it was not necessary only that a Parliament should give, but that they should give reasonably, as *Flammock's* Rebellion, and others in King *Henry* the VIIIth's Reign witness; and I believe our Rolls will not furnish us with many Sessions wherein Money was given, and no one Country Bill granted: But our ANCESTORS were wise enough to INSTRUCT their Members, and our Constitution so regular, that we had frequent Elections.

The House is so Officer'd, that by those that have Places and Pensions, together with their Sons, Brothers, and Kinsmen, and those who are fed with the Hopes of Preferment, and the too great Influence these have upon some honest, mistaken Country Gentlemen (who are possibly over-frighted with the *French*) the King can baffle any Bill, quash all Grievances, stifle Accounts, and ratify the Articles of *Limerick*.

When I find the Money the Nation gives to defend our Liberties from Foreigners Abroad, is like to undermine 'em at Home; in a Word, when I see neither the one nor the other House can withstand the Power of Gold; I say, when I perceive all this, it is Time to give Warning, it is Time to look about us.

If the Members of Parliament are to overlook all the ill Husbandry of the Government, that they may share in the Profuseness and Bribery of it, if our Rights are to be set to Sale by some, and neglected by others, when the very Being of the  
Govern-

## Parliaments of England. 129

But if the Third Parliament of this Reign, did not wholly lose Sight <sup>1698.</sup> of their Duty to their Constituents, the Fourth hath been represented as blameable for adhering to it too closely ; how justly, may be seen from the following Particulars, viz. They disbanded the Army as a useless Thing, and consequently an Encumbrance in Times of Peace ; nor did they spare the *Dutch* Guards (who were become extremely obnoxious to the People) though

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Government depends upon our being pleased ; what Amendment, what Confirmation shall we have of our Constitution when all our Dangers are over ? This is a Thought deserves our most serious Reflections.

I could name a certain Gentleman who exactly resembles *Harry Guy*, that the last Sessions, when the House was a little out of Humour, dispos'd of no less than sixteen thousand Pounds in three Days time, for secret Service. Who are in Places we may find out, but God knows who have Pensions ; yet every Man that made the least Observation can remember that some who open'd loudly at the Beginning of the last Sessions, who came up as eager as is possible for Reformation, had their Mouths soon stopp'd with *Hush-Money*. It has been of some time whisper'd, that if this will not at first pre-engage to do what will be exacted at their Hands, we shall have a new Parliament. I can't tell whether a new Parliament will not be practis'd upon by the *Caermarthen* Art ; however, it is our last and best Remedy : for if this continues, God have Mercy upon poor *England* ; for hitherto we have been, and we are like still, for ought I see, to be re-paid for all our Expence of Blood and Treasure, with a mere Smoke that *Boissacine* mentions in his Advices from *Parnassus*, whereby the Enemies of the Government have but too great Advantage given them to ridicule us for our foolish Credulity." *State Tracts*, Vol. II. p. 369, 370, 371.

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strongly

strongly importun'd thereto, by an exprefs Meſſage from the King, who had before reproach'd them for leaving the Nation too much expos'd : They put a Stop to the Iſſuing of Bills of Credit from the Treafury, which had, till then, been a Miniſterial Expedient to ſupply the Deficiencies of Caſh: They preſented a very ſtrong Representation to his Maſteſty, relating to certain Miſmanagements in the Conduct of the Navy. They paſs'd a \* Bill for *Limiting the Number of Placemen* in their own Houſe; and they made a cloſe Inſpection into the Grants made by the Crown.

1699. Theſe were the Fruits of their firſt Seſſion, and in their Second, they tack'd a Bill of Reſumption, to the Land-Tax Bill; which giving Umbrage to the Lords, who were at the Devotion of the Court, and endeavour'd to clog the Bill with Amendments, They inſiſted on their Point with ſuch Firmneſs, that the King himſelf found it adviſeable to let them have their Way; which being made known to the Upper Houſe by one of his Favouriteſ, the Controverſy was carry'd no farther.

But ſo great was the Reſentment which his Maſteſty had conceived againſt this untracta-

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\* Which was rejected by the Lords.

## Parliaments of England. 131

ble Parliament, that he first prorogued them by † Commission, without a Speech, and afterwards dissolved them; in hope that this unexpected Exertion of the Prerogative would teach their Successors more Compliance.

The Event however did not answer the Expectation: For, tho' both Court and Country exerted themselves *totis Viribus*, and by so violent an Opposition manifested to the whole World that they had opposite Interests, those in Power were no Gainers by the Exchange: on the contrary, they soon had Reason to think, that the late abrupt Dissolution had rather serv'd to exasperate than terrify; and what follow'd remains as a Proof to this Day, That whoever wrestles with Parliaments will be sure of a Fall.

Instead, therefore, of weak, tame or mercenary Concessions to the Throne, the Majority of *this* House were accus'd of the contrary Extreme; of distressing the King, of persecuting his Ministers, of harassing the public Affairs, &c. and yet to this very Parliament we owe the setting Bounds to that growing Evil, Parliamentary Privilege; the laudable Precedent of a proper

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† To the Earl of Bridgewater.

Commission to take and settle the Public Accounts, the resuming \* 100000 *l.* a Year, part of 700000 *l.* granted for the Civil List, and applying it towards the Payment of the Public Debt; that inestimable Blessing, the || *Hanover* Succession, and many other

\* The Occasions for which the said Sum were given, being  
*reas'd.*

|| Under the following most excellent Limitations,

“ 1<sup>st</sup>, That all things relating to the well-governing of this Kingdom, which are properly cognizable in the Privy-Council, shall be transacted there, and all Resolutions taken thereupon, shall be SIGNED by the PRIVY-COUNCIL. 2<sup>d</sup>, “ That no Person whatsoever, that is not a Native of *England, Scotland, or Ireland*, or the Dominions thereunto belonging; or who is not born of *English* Parents beyond the Seas (although such Person be naturalized or made denison, shall be capable of any Grant of Lands, Tenements or Hereditaments from the Crown, to himself, or any other in Trust for him. 3<sup>d</sup>, That upon the further Limitation of the Crown, in case the same shall hereafter come to any Person not being a Native of this Kingdom of *England*, this Nation be not obliged to ENGAGE in any WAR for the Defence of any Dominion, or Territories NOT belonging to the Crown of *England*, without the Consent of Parliament. 4<sup>th</sup>, That whosoever shall hereafter come to the Possession of this Crown, shall join in Communion with the Church of *England* as by the Law established. 5<sup>th</sup>, That no Pardon be pleadable to any Impeachment in Parliament. 6<sup>th</sup>, That no Person who shall hereafter come to the Possession of this Crown, shall go OUT of the Dominions of *England, Scotland, or Ireland*, without CONSENT OF PARLIAMENT. 7<sup>th</sup>, That no Person who has any OFFICE under the King, or receives a PENSION from the Crown, shall be capable of serving as a Member of the House of Commons. 8<sup>th</sup>, That further Provision be made, for the confirming of all Laws and Statutes

## Parliaments of England. 133

other wholesome Laws, which were calculated for the more immediate Service of both Prince and People.

But all their Merits could not reconcile them to an offended Ministry: And, notwithstanding a Sort of † Promise in the King's Speech to meet them again the ensuing Winter, they were suddenly ‡ dissolv'd, as a second Warning to refractory Parliaments.

But neither was this second Warning more effectual than the First: <sup>1700.</sup> The Nation continued firm to those, who had hitherto continued firm to them: and,

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Statutes for the securing our Religion, and the Rights and Liberties of the People. 9th, That Judges Commissions be made *Quam diu se bene gesserint*, and their Salaries ascertained and established; but upon the Address of either House of Parliament, it may be lawful to remove them. 10th, That the Princess Sophia Dutchess Dowager of *Hanover*, be declared the next in Succession to the Crown of *England* in the Protestant Line, after his Majesty and the Princess, and the Heirs of their Bodies respectively; and that the further Limitation of the Crown be to the said Princess *Sophia* and the Heirs of her Body, being Protestants."

† "I make no doubt that whatsoever shall be done during your Recess, for the Advantage of the Common Cause in this Matter, (the Support of the Confederacy) will have your Approbation at our Meeting *again* in the Winter."

‡ "It was whisper'd that the King's Favourite had a considerable Sum of Money given him, by whom is not mention'd, to incline his Majesty, while he was in *Holland*, to the Dissolution." *Life of King William*, Vol. III.



notwithstanding the most vigorous Efforts of those in Power, return'd a Majority of the very Men who had been so lately dismiss'd — It must however be acknowledged, for the Sake of Truth, that these Gentlemen occasionally suffer'd their Zeal for their own House, to carry them rather too great Lengths, as appears by those \* Resolutions of theirs, relating to their Privileges, which seem to have been irreconcilable with the Privileges of their Constituents.

Of their Attachment to the *Hanover Succession*, they nevertheless gave

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\* Feb. 26, " That, agreeable to the Opinions of a Committee appointed to consider of the Rights, Liberties and Privileges of the House of Commons, to assert that the House of Commons is not the only Representative of the Commons of *England*, tends to the Subversion of the Rights and Privileges of the House of Commons, and the fundamental Constitution of the Government of this Kingdom. 2d, That to assert that the House of Commons have no Power of Commitment, but of their own Members, tends to the Subversion of the Constitution of the House of Commons. 3d, That to print or publish any Books or Libels reflecting upon the Proceedings of the House of Commons, or any Member thereof, for, or relating to his Service therein, is a high Violation of the Rights and Privileges of the House of Commons. 4th, That it is the undoubted Right of the People of *England*, to petition to address to the King for the calling, sitting or dissolving of Parliaments, and for the redressing of Grievances. 5th, That it is the undoubted Right of every Subject of *England*, under any Accusation, either by Impeachment or otherwise, to be brought to a speedy Trial, in order to be acquitted or condemned."

a farther

a farther Proof, by the \* Clause they inserted in the Act for enlarging the Time for taking the Oath of Abjuration; and in this they had the more Merit to plead: because the *French* King, had, just before, in the most solemn Manner, caus'd the Pretender to be proclaim'd King of *England*, at *Versailles*.

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\* "That if any Person or Persons, at any time after the first Day of *March* 1702, shall endeavour to deprive or hinder any Person who shall be the next in Succession to the Crown for the time being, according to the Limitations in an Act intituled, *An Act for declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*; and according to one other Act, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, from succeeding after the Decease of her Majesty to the Imperial Crown of this Realm, and the Dominions and Territories thereunto belonging, according to the Limitations in the beforemention'd Acts; that is to say, such Issue of her Majesty's Body, as shall from time to time be next in Succession to the Crown, if it shall please God Almighty to bless her Majesty with Issue; and during the time her Majesty shall have no Issue, the Princess *Sophia*, Electress and Duchess Dowager of *Hanover*, and after the Decease of the said Princess *Sophia*, the next in Succession to the Crown for the time being, according to the Limitation of the said Acts; and the same maliciously, advisedly and directly, shall attempt by any Overt-Act or Deed; every such Offence shall be adjudg'd High-Treason, and the Offender or Offenders therein, their Assessors, Procurers, and Comforters, knowing the said Offence to be done, being thereof convicted or attainted according to the Laws and Statutes of this Realm, shall be deemed and adjudged Traytors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High-Treason."

But, before this Act could receive the Royal Assent, the King died, and with him died the Opposition to the Court: For the Queen had no sooner taken Possession of the Throne, but the Commons gave at once into her *Favourite's* Views, of entering into a new Land War with *France*, and likewise settled the Civil List for \* Life; which, together with the annual Supply, became the principal Business of the Session.

#### S E C T. IV.

*Of the Supplies given by Parliament from  
1689 to 1698.*

In this Sketch of the Parliaments of King *William*, scarce any Thing hath been said of the mighty Taxes then first levied upon the People, in pursuit of that Monarch's darling Project of humbling *France*.

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\* Tho' not without this wholesome Provision, That all Grants of Manors, Lands, &c. made by the Crown for more than 31 Years, or Three Lives, or all Tenements for more than Fifty Years, should be void; by which, we are told, the Crown was for ever deprived of a great Means of burthening the public Revenues by Gratifications to their Favourites.

That,

## Parliaments of England. 137

That, however, our Readers may not re-  
 pine for the Want of proper Information  
 upon that important Head, I have, in this  
 Section borrow'd from Doctor *Davenant*,  
 whatever is necessary, to give a general Idea  
 of that intricate Subject.

	l.	s.	d.
"For <i>Anno</i> 1689, Granted for the War, and to pay 60,000 l. to King <i>Charles's</i> Ser- vants, and to pay 600,000 l. to the <i>Dutch</i> , in all, that Year ————	}	1,844,786	16 04
"For <i>Anno</i> 1690. Granted for the War	}	2,535,452	01 02
For <i>Anno</i> 1691. Granted for the War, and for building Ships ————	}	4,794,861	07 00½
For <i>Anno</i> 1692. Granted (besides what was paid out of the Revenue of the Crown towards the War) ————	}	3,337,268	08 09½
Carry over ———		12,512,368	13 04½

For

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Brought over ———	12,512,368	13	04½
For <i>Anno</i> 1693. }			
Granted for the }	3,471,482	16	01
War ——— }			
For <i>Anno</i> 1694. }			
Granted for the }	5,039,581	09	09
War ——— }			
For <i>Anno</i> 1695. }			
Granted for the }	4,883,120	00	06
War ——— }			
For <i>Anno</i> 1696. }			
Granted for the }			
War, and to make }	7,961,469	00	00
good some Defici-			
encies, and to make }			
good the Clipped }			
Money, and for the }			
Civil List, and <i>French</i>			
Protestants ——— }			
For <i>Anno</i> 1697. }			
There was Granted }			
for the War, and }	11,887,160	00	09½
to make good the De-			
ficiencies of former }			
Funds, and for the }			
Civil List, and <i>French</i>			
Protestants ——— }			
Carry over ———	45,746,182	00	05½

For

# Parliaments of England. 139

l.      s.      d.

Brought over—45,746,182 00 05½

For <i>Anno</i> 1698. There were Funds given, amounting to about —————	}	4,500,000 00 00
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Ordinary Revenue of the Crown, reck- oned at a Million <i>per Annum</i> , by a Medium during these ten Years, might pro- duce in the whole about —————	}	10,000,000 00 00
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In all—60,246,182 00 05½

But

140 *A Detection of the*

Brought over———<sup>l. s. d.</sup> 60,246,182 0 5

But in these Articles several Sums are twice reckon'd; as for Example, where one Fund was taken away, and another given in its place; and where Funds have been granted to supply the Deficiencies of other Funds, for which Articles there may be deducted about ---	<sup>l.</sup> 7,000,000  12,000,000 0 0
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And the ordinary Crown-Revenue might be charged, during that Time, towards the War, with about ---	5,000,000
--	-----------

So that there has been actually granted but about } 48,246,182 0 5½

'Tis

## Parliaments of England. 141

'Tis not pretended, That the foregoing Accounts are exact to a Tittle; but according to the best Information we are able to procure, they are as near the Truth as is requisite in our present Argument.

Having shewn what has been granted in Funds, we shall now show what was intended by the Parliament; and, for five Years, very little more demanded for the Fleet and Army.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For <i>Anno</i> 1689,—	3,295,628	—04	—05
For <i>Anno</i> 1690,—	4,010,760	—06	—07
For <i>Anno</i> 1691,—	4,172,393	—09	—07½
For <i>Anno</i> 1692,—	3,629,439	—12	—03
For <i>Anno</i> 1693,—	4,117,080	—09	—06
For <i>Anno</i> 1694,—	5,030,581	—09	—09
For <i>Anno</i> 1695,—	4,883,120	—00	—06
For <i>Anno</i> 1696,—	5,024,854	—04	—11
For <i>Anno</i> 1697,—	4,880,078	—19	—11
For <i>Anno</i> 1698,—	1,300,000	—00	—00

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40,343,936—17—05½

*Note*, That from *Anno* 1693 inclusive, to *Anno* 1697 inclusive, the Difference between what was demanded by the Ministers, and granted by the Parliament for the Fleet and Army during those Five Years, amounted in the whole Time, but to 1,465,623 *l.* 19 *s.* 9½ *d.*

Sup.



## 142 *A Detection of the*

Suppose the Expence of the Civil List, from 1689 inclusive, to 1698 inclusive, to have been one Year with another 600,000 *l. per Annum.*

	<i>l.</i>	<i>s.</i>	<i>d.</i>
The Expence of the Civil List then in ten Years may have been—	6,000,000	00	00

Towards which the ordinary Revenue of the Crown, besides what it was charged with to the War, may have yielded about — — — —	5,000,000	00	00
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But in 1696, and in 1697, there was granted by the Parliament for the Civil List <i>per Annum</i> , 500,000 <i>l.</i> in the whole — — — —	1,000,000	00	00
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So that in this Computation, the Expence of the Civil List is to be reckon'd at but — — — —	5,000,000	00	00
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And

## *Parliaments of England. 143*

And the Accounts of *England* may run thus,

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Actually granted - - - - -	48,246,182	00	05½
Ex- pence of the War,	40,343,936	17	05
Ex- pence of the Civil List	5,000,000	00	00
			45,343,936 17 05½
Remains - -	2,902,245	02	11½

So that except in the Article of Interest Money, and except in the Article of 1,465,623 *l.* 19 *s.* 9½ *d.* in which the Demands of the Ministers for the State of the War, exceeded what was granted by the Parliament, the Expences of the Government seem to have been fully supply'd, and that there remains an over-balance of 2,902,245 *l.* to be accounted for.

Now as to the Interest-Money for the 5,000,000 *l.* with which the Crown-Revenue may have been charg'd towards the War, those Funds, most of 'em, have and will answer the Principal and all the Interest allow'd by Parliament: And other  
In-

Interest, which several Funds fell short of satisfying, has been in a great Measure made good by the Supply of 7,000,000 *l.* granted to answer Deficiencies.

And as to the State of the War having exceeded what was granted, in ballancing the general Accompt, this Article ought to be considered, if during the whole War the Muster-Rolls have been full; and if all along we have had our Complement of Ships and Seamen, according to that State of the War which was every Year laid before the Parliament.

But upon the whole Matter, considering what has been granted, and what may probably have been expended, there seems good Reason to think that the Public of *England*, if all Accompts were narrowly inspected, cannot be much in Arrear either to the Fleet, Army, or to the Civil List.

So that if there shall remain any great Arrear, in all likelihood it must chiefly arise from exorbitant Premiums, unwarrantable Interest, and other Ways of laying out Money, hurtful to the King, and destructive to the People.

The rough Draught of our general Accompts here given, which is as perfect as a By-stander only could procure, may perhaps, afford some little Help to such as will think

## *Parliaments of England.* 145

think of these Affairs ; and this rude Model may contribute towards the forming of a better Scheme.

The Forty-eight Millions granted, as we have said, by Parliament for the several Years from 1689 to 1698 inclusive, have not been actually levied : To state exactly how much of it has been already rais'd, and what Proportion of it remains secur'd by remote Funds, is not to be done without greater Helps than the Writer of these Papers can come at : But so far we know, and may affirm safely, That a great Part of the Product of Land, our Trade, and Manufactures remain still mortgaged for upwards of twenty Millions.

Two of the Nine-pences on Beer and Ale are to be esteemed as a Perpetuity, the third Nine-pence is engaged for a long Term of Time ; the first Duty upon Salt can be look'd upon no better than as a perpetual Fund ; the new Customs, continued Acts and Joint-Stocks, the Duty on Marriages, Births, &c. the first Duty on Stamp'd Paper, the Duty on Windows, half the Duty on Glass-Ware, the new Duties on Whale-Fins and Scotch Linnen, are continued to the First of *August* 1706. The last Duties upon Salt, and Stamp'd Paper, are Perpetuities : There is a further

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Subtidy

Subsidy of Tonnage and Poundage granted from the last of *January* 1699, for His Majesty's Life-time; and the Impositions upon Malt, Leather and Paper, are not expired.

To imagine we can buy off and redeem, in any moderate Time, all these Perpetuities, or long Funds, is a vain Hope; but this may be laid down for a certain Truth, That *England* will never FLOURISH in Trade and Manufactures till the greatest Part of 'em are clear'd, and till our Affairs are brought to such a Posture, that we may not pay to the Government either for the Support of the Crown, or on Account of Funds, where the Principal is sunk, ABOVE 2,300,000 *l. per Annum*, or about a Twentieth Part of the Nation's general Income, which was our Condition before the War.

And unless this can be compass'd, it will be found, That, in no long Course of Time, we shall languish and decay every Year, by Steps easy enough to be perceived by such as consider of these Matters. Our Gold and Silver will be carried off by degrees, Rents will fall, the Purchase of Land will decrease, Wooll will sink in its Price, our Stock of Shipping will be diminished, Farm-houses will go to ruin, Industry will  
decay,

## *Parliaments of England. 147*

decay, and we shall have upon us all the visible Marks of a DECLINING PEOPLE”

### S E C T. V.

#### *Of the Parliaments of Queen Anne.*

The Queen, while Princess of <sup>1702.</sup> *Denmark*, having been ill us'd, upon all Occasions, by the *Whigs*, her Majesty no sooner took Possession of the Throne, than she made a thorough Change at Court; and a *Tory*-Administration did not fail to produce a *Tory*-Parliament. As, therefore, in the late Reign, the *Dissenters* had gain'd such Ground, as to become almost formidable to the Church; the Tables were now turn'd, and the *Church!* the *Church!* became a Cry that carry'd all before it. This produc'd the *Occasional-Conformity* Bill, and the mighty, tho' ineffectual, Struggle then made, to carry it into a Law: But, however complaisant this Parliament may be held to the Church or Throne, it did not however debase itself so far as to gratify every Ministerial Demand, without Reserve: On the contrary, when the Queen, by Message, was induc'd to desire the House, to make her Grant of 5000 *l.* *per Ann.* to the Duke of *Marlborough*, for her own natural Life, perpetual, they, in a

very respectful Manner, \* declin'd it, as not caring to set a Precedent, which might countenance future Alienations of the Revenue; already too much reduc'd by the exorbitant Grants of the last Reign.

They had, moreover, the Merit, I will not say upon what Principle, to make a close Inspection into the public Accounts, and to lay before the Queen a very ample Remonstrance thereon; at once exposing past Miscarriages, and shewing the Necessity of a more exact Oeconomy for the Time to come.

But this Zeal and Integrity of theirs were not without a Bound: for when the *Whigs*, to serve a present Turn, did themselves the Honour to introduce a Bill for Purging the House of Commons of *Placemen*, the † Majority, who had then the upper Hand at Court, thought it for their Interest to throw it out.

\* Notwithstanding which, this very House of Commons in their last Session, entertain'd such a Sense of his Grace's Services, at the Battle of *Blenheim*, that they presented a Vote in his Favour to the Queen, which gave Rise to the Royal Grant of *Blenheim*, and the national Rent-Charge annex'd to it.

† And yet the same Majority, in the said last Session, in Resentment to some who had Apostatiz'd, and taken Places, brought in the same, or the like Bill again, which pass'd one House, and was rejected in the Other.

Upon

Upon the Discovery of the *Scottish*-Plot, the Lords bestirring themselves with more than ordinary Zeal to get at the Bottom of it, by examining the Prisoners taken up on that Occasion, and ordering them into Custody by their own Authority, the Commons, of a sudden, broke out in a Flame of Zeal for the Prerogative, which, in a solemn Address, they represented as invaded by the Lords; and not only call'd upon the Queen, not to suffer it, but made an Offer of supporting her Majesty in the Exertion of it, against all Invasions whatever. 1703.

It is remarkable, that, during this one Parliament, no less than Four Disputes arose between the Two Houses: *Viz.* one upon the *Occasional-Conformity* Bill; a Second on the Censures pass'd by the Commons, on the Conduct of Lord *Hallifax*, as Auditor of the *Exchequer*; a Third on the *Scottish*-Plot; and a Fourth on the Affair of the *Ailesbury*-Men, (who were us'd with extreme Severity by the Commons;) all of which were carry'd on with great Warmth and Bitterness, and divided the whole Nation; the *Whigs* siding with the Lords, and the *Tories* with the Commons: Faction so ordering it, that the Last were for multiplying Restraints on the People they represented;



and the First found their Account in acting as Conservators of the Public Liberty.

But there is good Reason to believe that these frequent Broils between the Two Houses had very different Grounds, in Fact, from those which were publicly pretended: For, no sooner had the Court-Junto struck up a Bargain with the *Whigs*, and turn'd their Backs on their old Friends the *Tories*, but the Elections, for the general, took a different Turn; the Majority of both Houses, appear'd to be of the same Complexion, and whatever had been swallow'd by one, was digested by the other.

I will not stay to expose the Inconsistency of either Party in this Place; but content myself with observing, That a *Tory* Motion in the House of Lords to invite over the Princess *Sophia*, as presumptive Heiress to the Crown; (which, as a particular Compliment to the Queen, was over-ruled by the *Whigs*,) made way for an \* Act, by which, Two of the most important Clauses in the Act of Limitation, were repeal'd, *Viz.* That, obliging

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\* Call'd an Act for the better Security of her Majesty's Person and Government, and of the Succession of the Crown in the Protestant Line.

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Privy-Counsellors to sign their Opinions; And That, incapacitating Placemen to be Members in the House of Commons. Thus, if the *Tories* made their Court to the House of *Hanover* in the Affair of the Invitation, the *Whigs*, not only excus'd themselves for putting a Negative thereon, but actually out-bid their Rivals in Court Favour, by giving an additional Strength to their Succession, and providing that the Sceptre should descend with as much Weight to the new Family, as it had done to the old: And this they did, tho' the Instrument by which the Crown was farther entail'd, was of the Nature of *Magna Charta*; consequently ought, in every Circumstance, to have been, like it irrepealable; tho' it was evident the said Clauses contain'd the only Securities which the People could ever rationally hope to obtain against the Progress of Corruption, and the Impunity of overgrown Criminals; tho' they, the *Whigs*, had ever avow'd a Jealousy of the Regal Power, and clamour'd loudest, to have a sufficient Mound thrown up, between it and the Subject's Liberty, and tho' the *Hanover*-Family had made no Difficulty to accept the Crown, under whatever Restrictions.

## 152 *A Detection of the*

Thus the only Advantages, resulting to the People from the Act of *Settlement*, except in the Article of Religion, were \*surrender'd at once, to bespeak the Indulgence of the future Sovereign, and excuse a seasonable Compliment to the present.

Nay, so far was the *Whiggish* Complaisance, to the Crown, at this Season, extended, that when a *Rider* was offer'd in the House of Lords, to restrain the the Lords Justices, upon the Queen's Demise, from giving the Royal Assent to any Bill for Repealing or Altering the *Habeas-Corpus* Act, the *Toleration* Act, the *Triennial* Act, and the Act for *Regulating Trials in Cases of Treason*, it was overrul'd by a Negative; so that the whole

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\* A List of these *Surrenderers*, (together with some very shrew'd Queries,) was made public by the *Tories*, at the General Election in 1708; in which, we read the Names of those Two great Patriots, ROBERT WALPOLE, and WILLIAM PULTENEY, Esqrs; and one of the best-inform'd *Occasional* Writers in the *Craftsman*, speaking of the Repeal of those Clauses, *May 29, 1739*, goes on, as follows.

"There was not in any Parliament before, a Struggle equal to this; nor where the *Influence* of the *Crown* was more apply'd. The *Journals of Parliament* are some Proof of it at this Day: I could enter into Particulars, but am loth to disturb the Ashes of the *Dead*."

These Patriot *Whigs*, moreover brought in a Bill, this Session, to oblige the Roman Catholics, to conform, or forfeit their Estates: And it had actually pass'd into a Law, if the Remonstrances of the Foreign Ministers had not prevented it.

Consti-

## *Parliaments of England.* 153

Constitution was in a Manner left at the Mercy of the new Government: And how deeply and fatally the Public was affected by the Repeal of these important *Limitations*, let the open, barefac'd Barter of Votes for Places, which, both before and since, hath been carry'd on, bear Witness; as well as the many Attempts which have been made to put an End to that infamous Traffic, by introducing a new Law, under the Title of a *Place-Bill*; which, for many Years, constantly miscarry'd, and, at last, terminated in a \* Thing, that was Title only: all Governments alike, making it a Point to engross as much Power, and extend their Influence as far as possible; and to make no Concessions to the Govern'd, however reasonable, as long as they are in a Condition to withhold them.

During this Session, likewise, an Act was pass'd to empower her Majesty to name Commissioners, &c. to treat with *Scotland* for an incorporating Union, which was now become necessary, both for the Peace of the Two Nations, and the Safety of the Lord Treasurer; who, having induc'd the Queen to give the Royal As-

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\* See the Bill, obtain'd by a TACIT TREATY, as we are told by the Author of *Faction Detected*, with the Lords. *An. Reg. Geo. II. 14<sup>o</sup>, 1742.*

sent to the \* *Scots Act* of Security, became answerable for all the Mischiefs it was like to occasion.

1706. No Measures are proceeded upon with such Vigour, or meet with such Success, as those in which the immediate Interests of Ministers are concern'd: It is the less to be wonder'd at, therefore, that this great Work was entirely finish'd during the Recess, and afterwards ratify'd by the Parliaments of both Kingdoms; tho' not without Tumults in *Scotland*, and not a little Opposition in *England*; I mean in the House of Lords; for the Commons were all Ductility, and submitted to every Article, I think, without one Division.

\* By which it was provided, That the Crown of *Scotland* should not descend to the same Person who possess'd that of *England*, unless that, during her Majesty's Reign, such Conditions of Government should be settled and enacted, as might secure the Honour and Sovereignty of that Kingdom, the Freedom, Frequency and Power of Parliaments, and the Religion, Liberty and Trade from the *English*, or any foreign Influence; and that it should be High-Treason to proclaim any Successor without the Consent of the States.

This Act gave such an Alarm in *England*, that it occasion'd a Bill for securing the Kingdoms from the apparent Dangers that may arise from several Acts lately pass'd in *Scotland*.

So that the Two Nations seem'd to be almost on the Point of a Rupture.

But

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But, however plausible the Word *Union* sounded, and whatever real Advantages attended it, we have liv'd to see it productive of some Mischiefs, which scarce any Advantage can atone for; I mean the additional Weight thrown into the Royal Scale, by the Sixteen and the Forty-five; it being remarkable, that the People have never, but once, been able to obtain a Majority in Parliament since: For, in Effect, the 400,000 *l.* Consideration, or Equivalent as it was call'd, paid to *Scotland*, was but an Earnest of what was to follow: and it is only by comparing the Places and Pensions distributed among these *Northern Worthies*, with their Votes, that we shall know how much the *Union* hath hitherto cost us, and one of the chief Ends it was calculated to answer.

During this Session, likewise, the good Humour of the House of Commons continued so overflowing, that they complimented their Favourite-General with the Manor of *Woodstock*, and the Palace of *Blenheim*, as likewise a Perpetuity of 5000 *l. per Annum*, to be annex'd to the Title of *Marlborough*: And as an Indulgence to the Treasurer *Godolphin*, who had run the Nation to 800000 *l.* Expence, more than was provided for by Parliament, justify'd

stify'd him for so doing, by a Majority, of a Hundred Voices.

But we do not find this extraordinary Harmony between the Ministry and the Parliament subsisting at the Opening of the next Session : On the contrary, the leading *Whigs* having not been gratify'd to the Height of their Expectations, for their late Services, spirited up the *City of London* to lay a Remonstrance before the Parliament, enumerating their Losses at Sea, complaining of the Conduct of the Admiralty, &c. which gave rise to very warm Debates in both Houses : And they likewise fell in with the *Tories*, in their Address, relating to the Management of the War with *Spain* : But it soon appear'd, that these Steps were taken only to distress the Ministers into *their* Measures, not to serve the Nation : Accordingly, their Terms were no sooner comply'd with, but they deserted the *Tories* again, and voted *Thanks* for the *Care* that had been taken of the *Spanish* Service : They likewise provided almost six Millions for the current Service, suspended the \* *Habeas-Corpus* Act, on

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\* Which gave the Ministry an Opportunity to seize upon Twenty-two Persons of Distinction in *Scotland*, and bring them up Prisoners to *London* ; as it was given out, that they might not be in the Way, to embarrass their Measures in the ensuing general Election.

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Account of the Pretender's Invasion of Scotland; and were dissolved, without having the Merit of any one independent Measure to plead, by way of Recommendation, to their Constituents, except the Rejecting an arbitrary Project for the † *Recruit-*

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† The Nature of this Project we find thus explain'd in a Speech, then made in the House of Commons.

“ Under every free and just Government, the People enjoy an equal Right in the Liberty of their Persons and Estates, and have one and the same common Benefit of the same Law; where, and to whomsoever this Justice is denied, I am sure, the People must fall under the heaviest Tyranny, Oppression, and Slavery in the World.

That this Bill, as now brought into the House, does restrain and deprive the much greater, and more industrious Part of the People, of that Freedom and Property, which the rest of their Fellow-Subjects enjoy, is very plain and evident by the Exceptions of such Persons as are only exempted from being forced from their Country, their Wives and their Children, into Foreign Service: The Persons only excepted, I find, are *Clergymen*, the *Scholars of the Two Universities*, the *Students of the Inns of Court*, all *Free-holders and Copy-holders*, and their Sons, that have Land to the Yearly Value of — or that did pay to the late Subsidy Act; all Electors and Voters for any County, City or Borough; so that all Apprentices and Servants, all Graziers, Farmers, Labourers, and all other Persons whatsoever, not exempted by the Qualifications above specified, (which extend not to one Third of the People of *England*) are liable to be banish'd their Country, and forced from their Masters and their Families, without any Limitation of Time, and almost Hopes of Return; whilst every small Free-holder, or Copy-holder, every corrupt Voter or Elector of any City or Borough, (of whom a great Number might, of all People, be the best spared) shall stay at Home, in Luxury, Sloth, and all the other Crimes that



*cruiting* the Army; which, we are expressly told, they durst not insist on, for fear of endangering their Elections in the next Parliament.

Still the late Misunderstandings between the Ministry and their *Whig*-Allies, were not entirely removed: on the contrary, the last, thinking they had now an Opportunity to set up for themselves, join'd Interests, however unnaturally, with the *Jacobites*, especially in the *North*, and hop'd, by their Assistance, to have a clear Majority in the ensuing Parliament: But so effectually did the Ministry labour upon this Occasion, that, on the Return of the Writs, it appear'd they were still able to stand their Ground, and carry their principal Points, in spite of all Opposition: Upon which, the *Whigs*, with more Policy than Honesty, made their Submission, at the Expence of their *Jacobite* Friends, and were again admitted to Grace and Favour.

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that attend our Elections; so that the best Consequence that can be expected of this Bill will be, that all Cities and Boroughs will be crowded with the most idle Persons of the Country, who are able at any Rate, or by any Way, to make themselves Voters, in order to exempt themselves from the Fatigue and Danger of War; and the Country, by this Means, will be drain'd and depriv'd of Servants, Farmers and Labourers, who are the most laborious and necessary Persons of the Common-wealth, to till and cultivate the Land."

When

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When we know that an Election hath been made under ministerial Influence, we know, likewise, that the said Ministers will be serv'd instead of the Public: Accordingly, we find that the whole Business of this Session, was a Series of Jobbs; such as the deciding \* Controverted Elections in such a Manner, that it ought rather to be said, That they chose themselves, than that they were chosen by the People; the raising seven Millions, and the passing an Act of Grace, &c. And in their second Session, they thought proper to compliment the Duke of *Marlborough* before they address'd her Majesty; They impeach'd *Sacheverel*, for abusing the Lord-Treasurer by Craft, in a Sermon, under the Name of *Vulpone*; they voted another Supply of 6,200,000 *l.* they were on the Point of passing some Votes † *disagreeable* to the Queen, on her presuming to change her Ministry; and would have address'd her to remove a Bed-chamber Woman, *Mrs. Masham*, out of her Service, if her Majesty, by her own personal Application to some of the leading

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\* See the Speech of Sir *Simon Harcourt*, in *Chandler's History*, Anno 1708.

† See the *Account* publish'd by the Duchess Dowager of *Marlborough*, and the Answer to it, entitled, *The other Side of the Question*.

Members, had not made a Shift to ward off the Blow.

As it appear'd, therefore, from these and many other flagrant || Circumstances that this House of Commons was more in the Interest of the *Court Junto*, than that of their Sovereign, there is very little Room to be surpriz'd, that they were \* dissolved, at the End of the second Session; and that a *new* Ministry undertook to return Representatives more devoted at least to the Person of her Majesty, if not to the Interest of their Country.

This new Election, however, furnishes us with a new Proof of the *Power* and *Influence* of the Crown over the *Representative*, as well as the *Wax* and *Parchment-part* of our Legislature: When the Ministry was in Alliance with the *Whigs*, the Majority of both Houses was *Whig*; when with the *Tories*, they became *Tory*. The Two Factions which divided the Nation, were never in so great a Ferment, as at this Period: And tho' the *Whig* was routed at

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|| The Creatures of the *Junto* had given out, That the Parliament would undo all her Majesty had done, and put a *Ne plus ultra* to the Projects of her new Ministers.

\* At the Instance, as it was to be understood, of the People themselves; many Corporations having been induc'd to petition for the said Dissolution.

Court,

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Court, he was nevertheless so strong in the City, had so mighty an Influence over the grand Hinge of Government, Ways and Means, and made so resolute a Stand in the House of Peers, that the new Ministers did not think it for their Interest to enquire into the Conduct of their † Predecessors, or make their Enemies desperate, by throwing them *all* out of Place and Power at once.

But tho' the *Tories* had the Ascendant ; they acted, in many respects, as the *Whigs* had done before them : For, tho' they \* recommended a tender Care of the *Hanover* Succession to the Throne, seem'd earnest for carrying on the War with as much Vigour as ever, made an Enquiry into the Abuses of the Victualling-Office, provided for the Security and Discharge of the *Public Debts*, (which it had been given out, they would have paid with a Sponge,) address'd for an Account of the Pensions paid by the Crown, pass'd a *Place-Bill*, which, as foreseen, perhaps, the Lords had the Honour to reject, They dropp'd a Bill to prevent *Bribery in Elections*, upon

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† Who were besides under the Protection of the *Act of Grace*, as low as *April 19, 1709*.

\* Upon the Motion of Mr. *Lechmere*, seconded by Mr. *Harley*.

the Third Reading, approv'd a Report which charg'd the late Ministers, with a Deficiency of upwards, of 35,000,000 *l.* when they were in Truth accountable only for *Four*, rejected a Court-Motion for a Duty upon *Leather* as a *Grievance*, and yet adopted the very same Thing under a new Title, *Viz.* a Duty upon *Hides*, and discover'd in general such a Disposition to oblige the Ministry, that the last Business of the Session was to issue out Writs, to supply the Vacancies, made by those who had accepted such Places of Trust and Profit, in Reward of their good Services, as render'd it necessary for them to be \* re-chosen: A Manner of Proceeding, which even Mr. *Robert W-l-p-l.*, at that Time, complain'd of very severely, tho' he hath been so much better reconcil'd to it since.

These were the principal Fruits of their first Sitting. In their Second, tho' they

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\* It ought here to be observ'd, That when the *Whigs* repeal'd the Clause in the Act of *Limitation*, relating to Placemen in the House of Commons, they endeavour'd to qualify what they had done, by excepting totally certain Officers of the Revenue, and rendering it necessary for most others, to pay a *Fine* to their *Constituents*, on their being promoted; That is to say, by obliging them to be at the Charge of a new Election.

granted

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granted a Supply for the War, they seemed to be making the necessary Managements for a Peace, which it was the Interest of one Party to bring about, and the other to perplex and expose: Hence the whole Current of Public Business, partook of the Soil of that Faction, thro' whose Canal it pass'd; and the Stream was seldom clear enough for the Public to see to the Bottom: To win over the Earl of *Nottingham*, the *Whigs* conniv'd at the passing the *Occasional Conformity* Bill, which they had formerly call'd upon Earth and Heaven to defeat, as striking at the very Root of Religious Liberty; or utterly excluding all *Dissenters* from the Honours, Trusts, and Profits of Government: and the *Tories*, on the other Hand, order'd, in a Bill to restrain the *Licence*, or rather *Liberty*, of the *PRESS*.

In short, all was Craft, Faction, and Perfidy; tho' the Honour of the Queen and the Welfare of the Public, were talk'd of on both Sides, neither had any Thing really in View but their own private Interest: Within Doors, Clamour, Contention, and Confusion prevail'd; and, without, Party-Spirit had almost dissolv'd Society, and Truth was swallow'd up in the Bottomless Gulph of Controversy.

The third Session of this Parliament was of a Piece with the other Two: For tho' it was not suffer'd to sit for the Dispatch of Business till *April* 9, and had been prorogu'd no less than Five Times in *March* only, no Notice was taken of so extraordinary a Proceedure, and almost every Court-Point was admitted with all the Complaisance imaginable; except the the Bill for rendring effectual the Treaty of Commerce with *France*; and even That, tho' obnoxious to all the Manufacture and and trading Towns of the Kingdom, could not be rejected, till a Letter of Leave was first directed to the Speaker, Sir *Thomas Hanmer*, by the Lord Treasurer *Harley*.

For the Rest of the Business of this Session, it was all Cabal and Intrigue, *Tory* against *Whig*, and *Whig* against *Tory*; between which two *Thieves*, the Nation was crucified: In particular we have ample Reason to curse this Session, for a fatal *Precedent* of an Aid to the Civil List (500,000 *l.* to discharge her Majesty's Debts) which, tho' so vehemently complain'd of by the *Whigs* then, they have copy'd but too faithfully since.

But how mischievous soever the Factions of those Times were to the Public, so deeply infatuated were the People, by the  
Artifices

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Artifices of their Leaders, or so thoroughly corrupt, that at the next general Election, they return'd another Representative, which was scarce to be distinguish'd from the former.

In the House of Lords, the *Whigs* rais'd a great Outcry against a *Tory* Pamphlet; (the *Public Spirit of the Whigs*, written by Dean *Swift*,) and in the House of Commons, the *Tories* did the same by certain *Whiggish* ones, the *Crisis*, &c. written by Mr. *Steele*, who being a Member, was made the *Scape-Goat* of his Party, and expell'd: As usual, good Motions were made for Factious Ends by one Party, and over-rul'd by the other, to fulfil their Engagements with the Ministry. The *Hanover Succession* was made the grand Engine of the *Whigs*, and the *Schism* Bill by the *Tories*; but with different Success: For the First was voted out of Danger, and the Last was carry'd into a Law; tho' a most apparent Violation of the Liberty of the Subject: In a Word, the whole Kingdom was embroil'd; and even the Queen herself was so persecuted with the Feuds and Animosities of her own Servants, that she had Reason to welcome Death as a Deliverer, and rejoyce more at laying down her Scepter, than the Elector of *Hanover*, her Successor, to take it up.



## S E C T. VI.

*A State of the War and Peace.*

As the prolonging the War furnish'd the *Tories* with Matter of Complaint against the *Whigs*; as the Treaty of *Utrecht* furnish'd the *Whigs* with like Matter of Complaint against the *Tories*; as the Contest between the Two Parties in the ensuing Reign, turn'd principally upon these Points, and as the Nation seems to be *again* in some Danger of being plung'd into a *Third* consuming *Land-War*, nothing can be more pertinent than to present the Reader, in this place, with a short State of the War, and the Peace; which will very sufficiently *shew*, how utterly inconsistent these military Adventures are with the Interests of a trading Nation.

“ The Grand Alliance was concluded on the First of *September* 1701, and the main Design thereof appears from the Words of the second Article, *viz.*

*His Sacred Imperial Majesty, His Sacred Royal Majesty of Great Britain, and the States General, desiring nothing more earnestly than the Peace and general Quiet of all Europe, have judg'd, That nothing can be more effectual*

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*tual for the Establishment thereof, than the procuring an equitable and reasonable Satisfaction to his Imperial Majesty for his Pretension to the Spanish Succession; and, that the King of Great Britain and the States General, may obtain a particular and sufficient Security for their Kingdoms, Provinces, and Dominions, and for the Navigation and Commerce of their Subjects.*

In pursuance of this Agreement the War was proclaim'd, and with these Views, was carry'd on to the Year 1706. The Annual Charge of this Nation, and the Progress of the Increase of that Charge may be seen by the following Account,

		l.	s.	d.
The Estimate of the War came to, in the Year	{	1702—	3,706,494	02 10½
	{	1703—	3,898,066	13 10¼
	{	1704—	4,444,947	04 01½
	{	1705—	5,087,783	07 01
	{	1706—	5,693,529	08 10¼

It pleas'd God to bless the Arms of Her late Majesty, and of Her Allies, with so many signal Victories, during these five Years, especially in the last of them, viz. 1706. that the great End of undertaking this War, so clearly express'd in the above-mention'd Article, seem'd to have been fully

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answer'd, and the Power of the Enemy reduc'd to a just Balance.

On the 21st of *October* 1706, the Elector of *Bavaria*, in the Name of the *French* King, propos'd to open a Treaty of Peace, but this Offer was rejected.

		<i>l.</i>	<i>s.</i>	<i>d.</i>
The Estimate of the War a- mounted to, in the Year	{ 1707—	6,180,413	18	02½
	{ 1708—	6,381,926	06	01
	{ 1709—	6,713,645	05	04½
	{ 1710—	6,734,043	09	11½
	{ 1711—	6,851,468	16	07½

The Reader will observe, That the Charge of the Year 1702, was a great deal short of Four Millions, and that in the Year 1711, it amounted to near double that Sum; and there was likewise a Debt incurr'd of Eight Millions; yet the Revenues of *England* were under such Anticipations, that she was not able to raise, within the Compass of any one Year, more than Two Millions and a half, over and above the Interest she was oblig'd to pay for the Debts she contracted.

These two Millions and a half came so far short of the Capital Sum that *England* was to furnish even in the least expensive Year of the War, as appears by the foregoing Account, that it is not to be wonder'd

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der'd the Nation should be sunk under so great a Debt in the Year 1711, that the bare Interest thereof amounted to three Millions.

For the Payment of this Annual Interest of Three Millions, the whole Trade of *England* was clogg'd with new Duties, from which the *Dutch* reap'd a double Benefit, since they did not only by this Means spare themselves, but as every Branch of our Trade suffer'd by new Impositions, theirs increas'd in proportion; for it is an establish'd Rule in Trade, that as it ebbs in one Nation, it must flow in another.

The Expences of the *Dutch* were all this time upon so easy a Foot, that from 1702 to 1711, no additional Duty was laid on their Trade, excepting only one *per Cent.* for Encouragement of their own Privateers; and this Duty was to determine with the War, because the Occasion for which it was rais'd would then cease. So tender were the *Dutch* of their Trade, which they call the Apple of their Eye; that when *England* furnish'd Ten Thousand additional Troops for the War in *Flanders*, on Condition they shou'd prohibit Trade with *France*, in the same manner the *English* had done, the *Dutch* accepted the Troops, but never comply'd with the Condition.

The

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The Emperor, during the War, mortgag'd Part of the Dutchy of *Silesia* to the *English*, and the Mines in *Hungary* to the *Dutch*; but these Mortgages were for such inconsiderable Sums, that the Imperial and Hereditary Revenues were in a much better Condition in 1711, than they were in 1702.

What was the State of the King of *Prussia*'s Revenues, either in the Year 1702, or in 1711, it is neither a very easy Matter, nor of any great Importance, to specify; but, if a Judgment may be made of the Charge of that Crown in the War of 1702, by the Charge she was at in the War of 1688, we may conclude she did not suffer much by the War of 1702, since one of the Ministers of the late King of *Prussia*, then Elector of *Brandenburgh*, complain'd in the Year 1699, that 40000 Crowns, which is near 8000*l. Sterl.* had been issued out of the Military Chest of that Prince in the War of 1688, over and above the Subsidies he had received from *England* and *Holland*, and therefore demanded to be reimbursed.

The rest of the Allies did not only not contribute to the War, but, on the contrary, receive large Sums from *England* and *Holland*, for their own private Advantage, over and above the Payment of their Troops.

The

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The Proportion of Forces to be furnished by *England* and *Holland* for the War of *Flanders*, was thus adjusted, *viz.*, *England* to furnish Two Parts of Five by Land, and *Holland* the other Three; by Sea, *England* was to furnish Five Parts of Eight, and *Holland* the other Three. The Quotas were thus settled by the late King *William*, as Mr. Secretary *Vernon* acquainted the House of Commons, by his Order.

From the Year 1702 to 1711, \* both inclusive, such were the Deficiencies of the Allies, that *England* was oblig'd to furnish above this Quota, the Sum of Twenty Millions.

The Princes of the Empire being requir'd to pay their Quota, according to the Constitution of the Empire, they alledg'd their Inability, by pleading, that their Men were already engag'd in the Service of *England*; so that, all this while, we actually paid those Men, who were otherwise, by previous Contract, oblig'd to serve in the Common Cause: On the other side, the *Dutch* alledg'd, That they were under no other Obligation than to exert their Strength, *totis viribus*, and by conse-

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\* *Vide*, Representation of the House of Commons, 1712.

quence, they alone were the Judges how far it was proper or convenient for them to exert their Strength.

It is to be observ'd, That *Great Britain* thus exceeded Her Proportion, tho' She neither did, nor was it possible for Her to gain any thing by a Land-War: At the same time the House of *Austria*, which had made such a prodigious Acquisition as that of the Electorates of *Bavaria* and *Cologne*, and several other Territories in the Empire; of the Kingdom of *Naples*, the Dutchies of *Milan*, *Mantua*, *Mirandola*, &c. in *Italy*; which Countries were thought sufficiently able to maintain 90,000 Men; and the *Dutch*, who had possess'd themselves of *Flanders*, and receiv'd all Contributions to their own Use, were still defective.

*Great Britain* then, being burthen'd above Her natural Strength, and having Two hundred forty four thousand and twenty Men in Pay, was fall'n under an immense Debt, the Annual Interest whereof amounted to three Millions, for payment of which Interest the Nation labour'd under a general Excise, excepting Bread and Flesh; the Duties apply'd in former Times to the Support of the Government, and many  
more

## *Parliaments of England.* 173

more since laid, in the course of two long Wars, were alienated for the Payment of the abovesaid Interest; so that the Taxes on Land and Malt, which every Body understood to be for extraordinary Uses, are now to be apply'd to the maintainance of such Ships and Guards as shall be necessary, even in Time of Peace, and are therefore, in effect, perpetual: (What would be our Resource in case of *New Wars*, is dreadful to imagine;) whereas, if Peace had been made in 1706, at which Time the End propos'd by the Declaration of War, was fully answer'd, and good Conditions offer'd, the Nation would have sav'd above Thirty Two Millions.

Between the Years 1706 and 1712, we made some Conquests in *Flanders* and *Italy*: On the other hand we lost two great Battles in *Spain*, the last of which was decisive, for, by the taking of our Troops at *Bribuega*, which caus'd the Rout of *Villa Viciosa*, the War was in a manner extinguish'd on that side; so that the Affairs of the Confederacy in general, were in a worse Situation in 1712, than they were in 1706.

However, the Finances of *France* being in great Disorder, and that Nation labouring



ing under a severe Famine, Monsieur \* *de Torcy* was sent in the Year 1709, to negotiate a Peace at the † *Hague*. Among other Things he offer'd in the Name of the King his Master, to abandon King *Philip*, and acknowledge *Charles* King of *Spain* and the *Indies*. But the Allies insisted that the *French* King should carry on the War singly against his Grandson ; and without making any Allowance for the doubtful Events of War, the Forces that were then on the Continent of *Spain*, and the vast Extent and Distance of the *Spanish* Dominions in *America*, they required that the whole Monarchy of *Spain* and the *Indies* should be given up in the Space of two Months, which all the Powers upon Earth could not promise to perform.

In the Beginning of the Year 1710, Monsieur *Rouillé* conferr'd with the *Dutch* Ministers at *Gertruydenberg*, and the *French*

\* Monsieur *Torcy* came to the *Hague* with a Passport, which the States had granted without the Queen's Knowledge.

† On the 22d of *May* 1709, a Ratification pass'd under the Great Seal of *Great Britain*, setting forth, That the *French* Ministers had Sign'd the Preliminary Articles at the *Hague* ; tho' in Fact the same had never been Sign'd by those Ministers.

King

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King then renew'd the same Proposal, that, in case of a Peace he would abandon King *Philip*, and acknowledge *Charles* King of *Spain* and the *Indies*; but the Proposal was again rejected.

In 1711, the *French* were recover'd from the Effects of the Famine; and the extraordinary Demand made by the Allies, that the *French* King shou'd himself make War upon his Grandson, had rais'd such a Spirit of Resentment and Indignation in his People, that they chearfully submitted to the *Dixme Royal*, which alone cou'd retrieve the ill Condition of his Finances; and which the *French* Court, until that Time, did not think safe to impose on them; a general Belief did then prevail in the *French* Nation, that the Allies had no other View in insisting, that the King should act so unnatural a Part, but in order to break off the Treaty, and perpetuate the War.

The breaking off this Treaty was *indeed Fatal*, for it was soon follow'd by the Misfortunes in *Spain*, which left King *Philip* entirely Master of that Monarchy.

In the same Year, *viz.* 1711. the Emperor *Joseph* dy'd, the Hereditary Countries devolv'd on King *Charles*, the only surviving Prince of the Male Line of *Austria*, who was likewise chosen Emperor; upon which  
the

the King of *Prussia*, and other Princes of the Empire, the King of *Portugal*, and the Duke of *Savoy*, declar'd they would never consent, that the same Person shou'd be Emperor and King of *Spain*; the *Dutch* were likewise of this Sentiment; for, when an Article was propos'd by *England* to be inserted in the *Barrier Treaty*, That no Peace should be made till the whole *Spanish* Monarchy was reduc'd to the Obedience of the *Austrian* Family, the States General struck it out of the Counter-Project, tho' agreed to by the Queen in Council, and strongly recommended to my Lord *Townshend*, by Mr. Secretary *Boyle*: And that they have proceeded always upon this Maxim, appears from the following Clause of the second Partition-Treaty, enter'd into by King *William* and the States, on the 3d of *March* 1700, viz. *That the Kingdom of Spain and the Indies shall never be united, nor belong to the Person of him who shall be Emperor or King of the Romans.*

In Conformity to the Sense of this Article, and to the Universal Consent of the Allies, *who would not, nor ever have yielded, that a King of Spain should be Emperor of Germany*, Her late Majesty wrote to the several Electors in favour of King *Charles*, in so strong Terms, that he has since own'd

Her

## Parliaments of England. 177

Her Goodness in his Behalf, as what was most essential towards raising him to the Imperial Dignity.

The Campaign of 1711, pass'd without any considerable Action, and the *Dutch* refus'd to contribute towards the Expence of Barracks and Forage; by which the Projects for Quartering the whole Confederate Horse under the Cannon of the Frontier Towns, and making Incurfions from thence, into the Heart of *France*, during the Winter, as well as opening the Campaign early in 1712, were intirely frustrated; notwithstanding the Duke of *Marlborough* represented, that if such Barracks and Forage were not provided, it would be impossible to gain any Advantage over the Enemy the following Summer, for they wou'd be superior to the Confederates by sixty Squadrons of Horse.

Things being in this Situation, that is to say, all Treaties for Peace being broke off, and the Measures that wou'd most probably have reduc'd the Enemy, meeting with Opposition from our Allies, Her Majesty thought it proper not to refuse a Passport, which the *French* King desir'd for a Person, whom he intended to send to Her with Proposals of Peace. The Passport was ac-

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cord-

cordingly dispatch'd, and \* *Monf. Mefnager* came hither invested with the Character of Plenipotentiary, and with a Letter from the *French King*, acknowledging her late Majesty Queen of *Great Britain*; that Prince having first acquainted *the States General*, that he did intend to address himself to the Queen on that Subject. Her Majesty received this Person favourably, and order'd Her Ministers to hear his Proposals: In Obedience to her Orders they conferr'd with him, and in some time General Articles were agreed to, by which the *French King* was oblig'd to give Satisfaction to all the Allies; the Points relating to *England*, were likewise adjusted, and were to take Effect in case that Satisfaction was given, and a General Peace concluded; not otherwise: for the late Queen was free from any Obligation whatsoever to the *French King*.

The States having been thus previously acquainted by the *French King*, that Proposals were to be made at *London* for opening a Treaty of Peace; the Proposals that were made having been immediately communicated to them by the late Queen, and

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\* *Mr. Mefnager* coming into *England* with a Passport from the Queen, could not be look'd upon as an Enemy.

the Conditions stipulated for Her own Subjects, being to take Effect only in case of a General Peace; it is evident She did, in the strictest Manner, adhere to the Terms of the Eighth Article of the Grand Alliance; by which it was agreed, That neither Party should treat without the Privity of the other. It has been objected by some, that the said Proposals or Preliminary Articles were properly a Treaty; but the *Dutch* themselves take off that Objection; for they were so far from thinking them a Treaty, that they declar'd them not to be a sufficient Foundation to treat upon.

Let us examine what has been the Conduct of the *Dutch* on the like Occasions; and we shall find, That when Articles were concerted at *Gertruydenberg*, those Conferences were held by the *French* and *Dutch*, without the Intervention of the rest of the Allies; for when the Imperial Plenipotentiary insisted, that he had a Right to be present, the *Dutch* refus'd to admit him; and when he complain'd to Prince *Eugene* of this Treatment, he receiv'd an Order from his Highness to follow the Example of the *British* Minister, whose Mistress he said, tho' she contributed more to the War than any of the Allies, did, however, resign Herself so entirely to the Wisdom of the

N 2

States,

States, that she trusted them *alone* with that Preliminary Negotiation. If we look farther back, we shall find Mr. *d'Aligre* made Proposals of Peace to the *Dutch* in *February* 1706; that Mr. *Mesnager* was in *Holland* most part of the Years 1707 and 1708, and convers'd with several of the *Dutch* Ministers upon the Proposals he brought with him from *France*, by the Connivance, and with the Privy of the States-General; as Mr. *Callieres* had formerly done in the Years 1695 and 1696; and all this without any Notice given to *England*.

Here it may be proper to observe, that it does not appear in the Register of the Resolutions of the States, that any of their Ministers had full Powers, in Form, to treat either with Mr. *d'Aligre*, Mr. *Mesnager* or Mr. *Callieres*, because the Ministers who serve the Prince or Commonwealth, in whose Dominion any Negotiation is transacted, are sufficiently authoriz'd, by the Offices they bear in the State, to treat with any Foreign Minister; but in case of concluding any Agreement, it is requisite all Ministers should be furnish'd with full Powers in Form, which full Powers are not for the Justification of the Ministers who exhibit them, but for that of the Party with whom they treat, and therefore the

Orig-

## *Parliaments of England.* 181

Originals are always exchange'd, which they could not be, if the Person treating were to be justify'd by his own full Powers; for in that Case he would be oblig'd to keep them in his own Hands, to be produc'd as Evidence in his Behalf, whenever Occasion shall require.

Whoever considers the Nature of a Negotiation between Princes, or has Curiosity enough to look back into former Transactions of that kind, will easily perceive, that they always have and must owe their first Beginning to an Intercourse of Letters, or some private Conversations; and that even the greatest Obstacles are frequently removed by such Correspondences, before any Powers are granted in Form, and that this has been the constant Practice in all Nations, especially in *England*.

It was thought necessary to make this short Digression, in order to expose a groundless Notion by some entertain'd, that it is not lawful for One who is a Privy-Counsellor, and an avow'd Minister of State, to hear the first Overtures of a legitimated Minister of a Foreign Prince, upon \* ver-

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\* The Earl of *Portland* treated with Marshal *Boufflers*, by verbal Orders from King *William*.



bal Orders from his own Sovereign, without a Special Commission for that purpose under the Great Seal.

Pursuant to the Preliminary Articles, or Propositions which had been communicated to the Confederates, conformable to the Grand Alliance, a Treaty was open'd at *Utrecht*, by their unanimous Consent and Approbation, in *January 1712* : And notwithstanding the great Obstructions given to it, was happily concluded *March 31, 1713* ; all Care having been taken to prevent the Union of the Crowns of *France* and *Spain*, that the Nature of the Case wou'd admit of; since there was but one Prince of the Male Line of the House of *Austria*, now remaining, and that the Powers abovemention'd, had determin'd, that the *Spanish* Crown should never be united to the *Imperial* ; speedy Measures were therefore taken for passing the Acts of Renunciation, which wou'd not have so easily been obtain'd, if King *Philip* had been in actual Possession of the Dignity of Dauphin of *France* ; and the great Mortality among the Princes of that House, gave just Reason to apprehend that such a Thing might happen.

Whilst this Treaty was depending, a Cessation of Arms was proclaim'd for two Months,

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Months, as had been usually practis'd in the like Cases, lest any Event of War might interrupt the Course of the Negotiation; but that even those two Months might not be fruitless, the Queen insisted, and it was granted, that *Dunkirk* should be immediately deliver'd into her Hands, the Demolition whereof being of great Importance to *England*, She had formerly propos'd it might be made an Article of the *Barrier-Treaty*, but the *Dutch* reject'd it. Her Majesty had all the Reason in the World to secure this Point of *Dunkirk*, by a Treaty, since it was not to be obtain'd by Action; for in the Compass of Fifteen Campaigns in the two last Wars, the States could never be prevail'd with to assist in any Way towards the Siege of that Town, *alleging, it would be the Work of Two Years.*

Certainly it was as lawful for the Queen to declare, without Consent of the *Dutch*; that her Troops should not engage, as it was for the *Dutch* to make the like Declaration without Consent of the Queen; and that the *Dutch* did make such Declarations, is still fresh in every Body's Memory; for, when the Duke of *Marlborough*, with the Concurrence of all the Generals, would have forc'd the *French* Lines, *August* 1703, the Deputies of the States refus'd to let

their Troops march, alledging, That if the *French* should get the Victory, the United Provinces would remain expos'd to their Incurfions: That the Deputies of the States acted in the same peremptory Manner on another Occasion, appears from a Letter of the Duke of *Mariborough's*, of *August 19, 1705*, wherein his Grace complains, in very moving Terms, " That at the Moment when he was going upon the Attack, when he had already flatter'd himself he should soon have congratulated their High Migh-  
tinesses on a glorious Victory, he found his Hands ty'd up by their Deputies." His Grace adds, " The Opportunity was too fair to be slipp'd; and that his Heart was so full, that he could not forbear complain-  
ing, he had not the same Authority in the Army that he had the preceding Year." Shall not the Crown of *Great Britain* have the same Authority over her own Troops, that the States of *Holland* have over theirs? Or, shall it be more criminal for a General in *Flanders*, not to follow the Confederates wherever they should think fit to lead him, when, by the positive Command of his Sove-  
reign, he was forbid to enter upon Action, than it was for a General in *Spain*, (after-  
wards Earl *Stanbope*) to separate the *British* Army from that of the Confederates, at his  
own

## Parliaments of England. 185

own Discretion, without Order ? Which *Fatal Separation* was soon follow'd by the Loss of himself and his Troops : And yet it would be hard Treatment to charge so great a Misfortune upon that honourable Gentleman, whom all Parties own'd to have then acted with a true Zeal for the Good of his Country.

The Peace of *Utrecht* may be said to have been as general as any that was ever made ; for all the Parties in the War sign'd their Peace with *France* on the same Day, excepting the Emperor and the Empire.

Here it is to be observ'd, *That the Emperors of Germany have not made Peace at Ryswick, Nimeguen, or any other Congress, at the same time with the rest of their Allies*, lest the Princes and States of the Empire, who, as Sovereigns, have a Right to assist at such Conferences, should, by that means, have an Opportunity to justify their particular Claims ; It has therefore been an establish'd Maxim of the Imperial Family, to put off the Signing of their Treaties of Peace for some time, that the Members of the Empire may be under the Necessity of submitting their Pretensions to the Imperial Dyet, where the Emperor has more immediate Influence and Authority.

However, for Argument sake, let it be consider'd how far *England* had been blame-  
able

able if she had made a Separate Peace. *England* came into the Confederacy rich, the Allies poor; *England* in the War was became poor, the Allies rich; the Allies, tho' nearest to the Danger, contributed least to the War; *England*, the most remote from Danger, bore the greatest Share of Expence: Whatever should be gain'd by the War in *Europe*, was, by express Agreement, to accrue to the Allies: *England* once intimated a Desire to be possess'd of *Ostend*; the Lords the *States* refus'd it with Indignation. The Trade of *Holland* was exempt from any additional Duties, some Branch of the Trade of *England* was every Year depress'd by new Impositions. The Trade of *Holland* was extended by the Acquisitions in *Flanders*, the Trade of *England* to that Country lay under particular Discouragements. Would not the Queen have receiv'd the Applauses of the Universal World, if, in these Circumstances, she had told the Allies they first broke the Contract, by not performing their Part in the War, and she was therefore no longer under any Engagements? Such a Conduct would have been justify'd by all Laws, Sacred and Civil, and of all Nations on the Earth. The *Dutch* would have had the least Pretence to complain, since it remains upon Record,  
That

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That \* the *Dutch* Ministers told those of *France*, in 1648, they would make a Separate Peace, alledging this only Reason, That it was for the Interest of their State, which they said was to be preferr'd to their Alliances. They made the like Answer to the Ministers of *Brandenburg* in 1678, at which time they made a Separate Peace, tho' that Prince had hazarded his own Country to save theirs.

But such was the Disposition of the pious Queen towards all her Allies, that she determin'd to push on the War with new Vigour; or to make such a Peace as should be to their common Satisfaction. With this View her Ministers did, by her Order, sign a Treaty with Mr. *Buys*, on the 18th of *December* 1711, whereby her Majesty was engag'd to prosecute the War *Jointly* with the States, to make Peace *Jointly*, to Guaranty the Peace *Jointly* when made, and to invite the rest of the Confederates into such Guaranty; but when the *British* Ministers explain'd to the States, that by making War *Jointly* was meant, by a proportionate Expence of each Nation, according to the Quotas settled by King *William*, and de-

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\* *Vide* Neuville's *History of Holland*. Tom. I. Book IX. Chap. 10.

clar'd, † that the Ten Thousand additional Troops were given upon Condition, they should prohibit Commerce with *France* as *England* had done, the States refus'd to ratify the Treaty which Mr. *Buys* had sign'd on their Part.

When the Imperial Ministers were told the Queen expected their Master should bear his Proportion in the War; Count *Galas*, in a very solemn Manner, declar'd, by a Memorial in Form, That if her Majesty had exceeded in Expence, she was overpaid in GLORY; that the GLORY her Majesty had acquir'd, was infinitely more valuable than the Dominions acquir'd by the Emperor; and, that if the Emperor had Money to purchase, he would have out-bid her Majesty, and bought GLORY at a much greater Rate.

It has been given out by some, that the *Dutch* were willing to have come into the Queen's Measures, if she had thought fit to let them know what those Measures were: This is so far a Mistake, that it is apparent they would not come into her Measures, because they did know what they were, and that

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† This Treaty had been negotiated six Weeks, yet the full Powers bore Date but the 14th of the same Month of *December* 1711.

## *Parliaments of England.* 189

her Majesty had procur'd for her Subjects some Advantages in Trade; for Mr. *Buys* declar'd, That if *England* would let the States into a Share of those Advantages, they would neither obstruct the Treaty, nor endeavour to wrest it out of the Queen's Hands.

When they found the Queen resolv'd to make no Concession of that kind, their utmost Efforts were then employ'd to obstruct the Treaty: This gave but too fair a Handle to the *French*, to raise as many Difficulties on their Side, and to this Cause it is to be ascrib'd, that some Points were not obtain'd which might otherwise have been expected: To which may be added, that after the Loss of Twelve Thousand of their best Troops at *Denain*, and of three considerable Towns in *Flanders*, they could not reasonably hope for as good Terms as they might have had, if they had agreed to a \* Suspension of Arms, according to the Queen's Desire, by which those Misfortunes would have been prevented.

But in spite of all Opposition, the Queen pursu'd the Interest of her People,

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\* Among all Nations in the World, there has been generally a Cessation of Arms before the Conclusion of a Peace.  
and



and when She had procur'd for the Emperor an equitable and reasonable Satisfaction for his Pretension to the *Spanish* Succession, and for the *States-General* a sufficient Barrier, pursuant to the Grand Alliance, She made Peace with Her Enemies.

That this Peace was, upon the whole, beneficial to *Great Britain*, will appear from the following Considerations;

*First*, That several Advantages were obtain'd for this Nation above what had been ever ask'd before in our behalf, either at the *Hague*, or at *Gertruydenburg*, viz. \* *Hudson's Bay*, part of the Island of *St. Christophers*, all *Nova Scotia*, or *Accadia*, with the City of *Port-Royal*, now call'd *Annapolis-Royal*, the Island of *Minorca*, the Town and Castle of *Gibraltar*, and the Trade to the *Spanish West Indies*. Add to this, that more ample Provision hath been made for the Freedom, Rights, and Immunities of the *British* Subjects, than will be found in any former Treaty whatsoever.

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\* Treaty of *Breda*, 1667, Art. 10. Lord *Hollis*, and Mr. *Coventry*, yielded up *Nova Scotia* to *France*. Treaty between *England* and *France*, for settling Peace in *America* 1686, Sign'd by the Lords *Sunderland* and *Godolphin*, yielded up *Newfoundland* and *Nova Scotia*, Art. 4th and 5th.

*Secondly*,

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*Secondly*, From the Increase of our Shipping, and the Improvements of our Trade, which will appear from the following Abstract, faithfully collected out of the Public Registers.

By what has been already said, it is believ'd the Reader is convinc'd it was absolutely necessary for the *British* Nation to have Peace, and that the Terms of the Peace She had, were advantageous to her Self and her Allies; who are so far convinc'd, that the Ends of the Grand Alliance are answer'd, and the Power of their former Enemy brought within due Bounds, that they have no farther Apprehensions from him, but think themselves at liberty to contend with each other for Dominion.

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*The*

† *The Advantages arising to Great Britain since the Peace, by the Encrease of the Navigation and Exportation of the Manufactures and Produce of England only, which is as follows, viz.*

**O**F Woollen Manufactures from England to Denmark, Norway, Sweden, East Country, Germany, Flanders, Portugal, Spain, Streights, Italy, Turkey, Jamaica, New England, New York and West Indies, &c.

Species of Goods.	The Amount of the Exportation of Woollen Manufactures to the several Places above said, for the Years 1709, 1710, and 1711.	For the Years 1712, 1713, and 1714.	The Encrease of the Years 1712, 1713, and 1714, more than the Years 1709, 1710 and 1711.
Bays—	127,492 $\frac{1}{2}$ —	158,903 $\frac{1}{2}$ —	31,411 pieces
Cloth of all Sorts	107,888 —	152,642 —	44,754 cloths
Cottons—	273,017 —	525,227 —	252,210 goods
Kerseys —	59,884 $\frac{1}{2}$ —	83,110 —	23,225 $\frac{1}{2}$ piec.
Perpets and Serges	8,250,805 lib. —	13,505 lib. —	392,700 lib. —
Flannel —	990,451 yards	96,949 yards	223,498 yards
Stockings —	81,472 dozen	96,939 dozen	15,467 dozen
Stuffs —	3,186,031 lib. —	5,586,968 lib. —	2,400,937 lib. —
Says —	495,457 ditto	619,262 ditto	123,805 ditto
Northern Dozen	19,385 ditto	52,151 ditto	32,766 ditto
Hatts —	25,383 dozen	39,373 dozen	13,990 dozen
Lead —	37,557 tons —	41,383 tons	3,826 tons —
<i>Manufactures.</i>			
Spanish Wool } imported into England —	13,986 bags	0,388 bags	6,402 bags
Cochineal im- } ported —	177,785 lib. —	220,667 lib. —	42,882 lib. —
<i>Fish.</i>			
Red Herrings —	115,819 barrels	235,492 barrels	119,673 bar. *
White ditto —	7,897 ditto	15,459 ditto	7,562 ditto
Pilchards —	23,737 hogsh.	60,565 hogsh.	36,828 hogsh.
Salmon —	260 barrels	870 barrels	610 barrels

† This Account was printed in 1716.

\* The Fish herein specified is all exclusive of the *Scotch* and *Irish* Fishing.

*As*

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*An Account of the Gross and Net Produce of the Customs, from Christmas 1708, to Christmas 1714, viz.*

In the Year	Gross Receipt.	Net Produce
1709—	2,306,784 08 01½	1,342,833 14 04½
1710—	1,945,792 06 02½	1,177,810 05 06½
1711—	2,248,679 17 02½	1,202,040 12 09½
1712—	2,191,348 19 06½	1,396,633 03 11½
1713—	2,488,968 09 07	1,454,868 17 06
1714—	2,705,029 10 10½	1,765,695 04 02½
	<u>13,886,603 11 06</u>	<u>8,339,881 18 04½</u>
Net Produce of the Year 1709—		1,342,833 14 04½
Ditto ————— 1714—		1,765,695 04 02½
Increase in the Year 1714, more than the Year 1709 —————	} 422,861 09 10½	
Increased the Three last Years in Peace, more than the Three preceding Years in Time of War —————	} 894,512 12 11½	

194      *A Detection of the*  
 Merchant or Freight Shipping.

*Ships from all Ports of England,  
 clear'd from the Custom-house.*

From the Year 1709 to

1710—3550	} Ships.
1711—3750	
1712—4267	
1713—5807	
1714—6614	

Encreased in the Years 1713 and 1714, being the Two Years since the Peace, more than the Two Years 1710 and 1711, in time of War in Number 5121 Ships, in Bulk three hundred thousand Ton.

*Memorandum*, That the Exchange and Benefit of Trade, from the several Parts of *Europe*, hath been so much to the Advantage of *England* since the Peace, as hath occasion'd the great Coinages of Money at the *Mint*, as will appear by the following Account :

There was Coined, and ready for Coinage, in Gold and Silver, in the *Mint* in two Years, ending at *Lady-day* last 2,435,000 *l.* whereas the Coinage in time of War was inconsiderable.

*Englsh* Wool in the War was sold at 15 *s.* per Todd, and now at 18 *s.*

*Cape*

## Parliaments of England. 195

\* *Cape Britton* Island was restor'd to *France* by a Treaty made 1632, and confirm'd by another Treaty 1667, by another 1686, by another 1697.

In *Newfoundland* the *French* are not permitted to fish in any Part formerly possess'd by *England*, nor even in that Part which was possess'd by *France* before the Treaty, and which is now yielded to *Britain*, but are confin'd to fish only in the uninhabited Part of the Country, and are not permitted to cut Timber, nor Wood for building Cook-rooms, Stages, Flakes, Boats, &c. and the Liberty they have of Fishing will therefore be impracticable; for, should they carry Timber from *France*, the Expence would be exceeding great, and put them upon a very unequal Foot with *Britain*, whose Subjects will, by that means, be able to under-sell them in all Markets. Besides, as the *French* are not permitted by the Treaty to remain upon the Land during the *Winter*, the Buildings they raise in the *Summer* will then be destroy'd, and they will be under a Necessity of bringing more Materials from *France*, and rebuilding their Cook-rooms, Stages, &c. every Year, which will, in all Probability, render the Fishery of the *French* in those Parts of little Use.

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\* *Cape Britton* is an Island in the Entrance of the Gulph of *St. Lawrence*, is navigable quite round, and has never been thought to make a Part of *Acadia*.

## S E C T. VII.

*Of the Parliaments of King George I.*

To those very Factions, Cabals,  
 1714. and Contentions which render'd the  
 Crown so burthensome to the late Queen,  
 the Protestant Succession ow'd its Estab-  
 lishment and Security; for, as before  
 hinted, both Parties vied with each other  
 in paying their Court to the *new Family*;  
 by recommending all the Expedients that  
 could be devis'd, to strengthen their Title  
 to, and secure to them the Possession of,  
 the Kingdom.

'Tis no great Wonder, therefore, that,  
 tho' the Heir was absent, there was no  
 Interregnum; and that the Privy-Council  
 first, and the Lords Justices afterwards,  
 made so good Use of the \* Power in their  
 Hands, that the public Tranquility was  
 maintain'd, and that the Way was kept  
 both open and easy to the Throne.

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\* They doubled the Guards, reinforced the Garrison of  
 the *Tower*, rais'd the Militia of *London* and *Westminster*, or-  
 der'd up a Regiment of Horse and Foot into the Villages  
 adjacent; besides, they sent for seven Battalions from *Flanders*,  
 order'd all Seamen to repair to the Fleet, and laid an Em-  
 bargo on all Shipping, made Provision for the Security of  
 the Sea-Ports, and lastly, took particular Care to keep all  
 quiet in *Scotland*, and *Ireland*.

## Parliaments of England. 197

In a Word, the Parliamentary Right of King George I. was universally acknowledged, and he found himself as quietly possess'd of the Sovereignty, as if he had no Rival to fear, nor any Disaffection to be jealous of.

That therefore, the Scene was afterwards so fatally chang'd, cannot be better accounted for, than by the † Words of the Lord *Guernsey*, afterwards Earl of *Aylesford*, in the House of Commons, before the first Year of his Majesty's Reign was expir'd, *Viz. That the Disaffection of the People, if any, did not proceed from his Majesty, but from the Hardships his Ministers put on the Friends of the late Ministry.*

But to return to our immediate Business.

The very Day the Queen died, the Parliament met, according to the Provision made by Statute 6 A. Cap. 7. par. 6. and, tho, of the Complection before describ'd, and hitherto victorious over the *Whigs* in every Question, instead of making use of the only Opportunity they were ever like

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† To which may be added those of the Earl of *Anglesea*, in the House of Lords, *Viz. That it was to be fear'd, violent Measures would make the Sceptre shake in the King's Hand.*



to have, in restoring the Clauses to the Act of Settlement, repeal'd by the said *Whigs*, in the Year 1705, they seem to have lost all their Spirit at once; for They complimented the *Hanover* Troops with their Arrears, amounting to upwards of 65000 *l.* whom they had before treated as *Runaways*; and not only granted a Supply for his Majesty's Household, but when one \*Honest Man made a Motion for *tacking* the *Place-Bill* to the said Supply, suffer'd it to drop, even withouta || Voice to countenance it. —

————— *His Zeal*  
*None seconded, as out of Season judg'd,*  
*Or singular and rash* —————  
 As *Milton* sings of his *singly faithful* Abdiel.

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\* Mr. *Wykes*, Member for *Northampton*.

|| The Reason of which extraordinary Behaviour is ascribed to their Fear of being *punish'd* with an *Opposition* at the next approaching Election, supported with the whole Weight, Interest, and Influence of the Crown: But if this Plea is admitted, it follows, That as, in Virtue of the Bill pass'd by the *Whigs*, in 1705, which provides, that the Parliament in being, shall continue to sit for Six Months after the Sovereign's Demise, every new King will have the House at the same Advantage, consequently may squeeze out of them almost whatever Revenue, and upon whatever Terms he pleases. — Among the *new* Powers acquir'd by the Crown since the Revolution, *This* may be justly plac'd; and of what Importance it is to the Public, that it should be repeal'd, may be gathered from the Weight and Interest which have accompany'd the Civil List ever since.

And

## Parliaments of England. 199

And thus having done the principal Thing they fate for, after a Session of Twenty-five Days, they were prorogu'd by the Lords Justices.

The King made his public Entry into London, Sept. 20, new modell'd the Privy-Council the 29th, was crown'd October 20, dissolv'd the Parliament January 5, and ten Days after, set forth a Proclamation for calling a new One; in which he makes no Doubt, that \* *in the ensuing Elections, his loving Subjects will have a particular Regard to such as shewed a Firmness to the PROTESTANT SUCCESSION when it was most IN DANGER.* An Instruction, however unprecedented, that was very punctually † comply'd with; it appearing by the first Division in the House, that the Court had 244 Voices to 138. And now the golden Scene opens, which was to be productive of nothing but Ease, Plenty, Freedom and Happiness.

The first Address of the Commons to the Throne, was a Decla- 1714-15.

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\* This Proclamation was afterwards call'd by Sir William Wyndham, in the House, *not only unprecedented and unwarrantable, but even of dangerous Consequence to the very Being of Parliaments*: For which *Liberty of Speech*, a Cry was rais'd of, *The Tower! The Tower!* but ended in a Motion for his being reprimanded in his Place; and he was reprimanded accordingly.

† There were no less than 112 Petitions relating to Controverted Elections.

ration of War against the Party last in Power, and thereby provided very effectually to set the new King at Variance with Half of his Subjects ; consequently rendered him dependent on one *Faction*, and obnoxious to the other—But the Favour they had thus secur'd to themselves, they took Care the Nation should pay for : For, overlooking the Precedent of *Queen Anne's* Civil List, which, for the general, did not exceed \* 500000 *l. per Ann.* they had recourse to that of King *William* ; and, because he had 700000 *l. per Ann.* King *George* was complimented with the same ; nor would they even admit a Clause to secure 100000 *l. per Ann.* out of it to the Prince of *Wales* ; nor suffer an Address to be carry'd, *That his Majesty would retrench unnecessary Pensions, and grant no more for the future.*—This last Point, however, appear'd so gross, that it was carry'd but by three Voices.

Their next Job was to impeach all the Lords they fear'd or hated of High Treason, except Dr. *Robinson* Bishop of *London*, who, tho' the First Commissioner at the Treaty of *Utrecht*, as it was shrewdly observ'd by

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\* Out of which she set aside 50000 *l. per Ann.* for the abdicated Queen Dowager, &c. &c.

Mr. Hungerford, was allow'd the Benefit of his Clergy.

Fearing, however, with some Reason, that certain *Foreigners* had a greater Sway in the Cabinet than themselves, and that the *Act of Settlement* had left an Opening, thro' which they might slip into Places of Trust and Profit, the *reigning Whigs* wisely bestirr'd themselves to stop the Gap; and, tho' oppos'd more out of Spleen than Principle by the *Tories*, carry'd their Point by fifty Voices.

The *Riot-Act*, which pass'd likewise this Session, no doubt the Distempers of those Times made necessary; but then surely it ought either to have been temporary, or should have been long since repealed: For, while that *Yoke* is upon our Necks, tho' we are at Liberty to preach *Resistance*, we have little or no Power to practice it; under whatever Grievances labouring, or compell'd by whatever Provocations: A Circumstance that, I fear, those in Power are but too well acquainted with!

The never-enough-to-be lamented Rebellion soon after breaking out, the *Habeas-Corpus Act* was again suspended; but one Man, Mr. *Shippen*, making any Objection; tho' *Monmouth's* Invasion afforded no such  
Prece-

Precedent, even in the unhappy Reign of *James II.*

This most obsequious House of Commons, likewise, who, at first, found less than 11000 Men sufficient to keep the Peace, now thought \* it necessary to raise 3000 Dragoons and 4000 Foot, besides four Companies of Guards more; they also put all the Half-pay Officers on full Pay, and made a farther Provision for the Security of his Majesty's Person and Government by Bill.

As to † Money, the Court had all that was ask'd, and in kind Acknowledgement to the great Undertaker in those Matters, we find *Robert Walpole, Esq;* made first Commissioner of the Treasury, and Chancellor of the *Exchequer*, in the Recess between *September 21*, and *October 20*.

Having mention'd the Recess, it is necessary to observe, that the Business of the Session was clos'd *September 21*, when the Speaker made the usual Compliments, and the Lord Chancellor read the King's Speech:

\* It ought not to be forgot, that we were oblig'd to the *Dutch* for 6000 more.

† Note, In the first Year of his Majesty's Reign, *Bremen* and *Verden* were purchas'd of *Denmark*, and War was declar'd by *Hanover* against *Sweden*; which was one of the express Conditions of the Bargain: And now it was, that the *Baltick* began first to be visit'd with an annual Quadron of *British* Men of War.

But

## Parliaments of England. 203

But the Kingdom being then in Arms, it was held adviseable to have an *Adjournment* instead of a *Prorogation*, and found convenient afterwards to repeat the same Expedient five Times more ; by which Means Two Sessions were run into ONE ; but however bold, or perhaps dangerous the Precedent, it was not complain'd of at that Time ; for fear, perhaps, that Discontent should be interpreted into Treason.

But this Piece of *Minister-Craft* is nothing to what follow'd in the Sequel of this extraordinary Session.

January 9, Both Houses met for 1715-16, the Dispatch of Business, and began with a *new Sett* of Impeachments ; viz. of the Lords taken in the Rebellion ; who, pleading Guilty, had Sentence of Death pass'd upon them ; upon which, our most *merciful* Commons \* adjourn'd themselves, that they might not be teas'd with Petitions in their Favour ; having first renew'd

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\* The Lords, however, did not follow their Example ; but on the contrary, petition'd in the Behalf of the unhappy Prisoners ; tho' without Success : It was thought necessary, that the \*\*\*\*\* should be established in Blood ; and even to set a Mark on those who inclin'd to Mercy ; the Lord *Nottingham* and his whole Family being, soon after, turn'd out, for no other Crime.

the

the † Suspension of the *Habeas-Corpus* Act, and pass'd the Land-Tax Bill for Four Shillings in the Pound; which was opened with so extraordinary a Preamble, that it gave great Offence to the other House, as *prejudging ‡ Matters of a very high and important Nature, the Cognizance and Determination of which properly belong'd to the Peers*, who, thereupon, put in a Sort of general Protest against it.

The present House of Commons was now become so dear to the Court, and the People had borne with so much Patience the Artifice of tacking Two Sessions together, that a bold Stroke was now to be made, to establish them in their Seats, till the King was *established on his Throne*, and the Resentment which his Ministers had incur'd, abated: Accordingly, the Bill to repeal the *Triennial Bill*, and not only to make all future Parliaments *Septennial*, but even the PRESENT, was brought in by the Duke of *Devonshire* in the House of Lords, and by

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† But not without Opposition as before: Experience having now shewn how dangerous it was to leave the *Liberty* of the *Subject* at the *Discretion* of the *Government*. It likewise produced a Protest in the House of Lords.

‡ Throwing the Guilt of the Rebellion on the late Administration.

them

them || pass'd and sent down to the Commons ; who, *Hear O Heavens ! and be astonished O Earth !* pass'd it likewise ; tho', among a thousand unanswerable Particulars which were urg'd against it, Mr. Snell submitted the Following to their Consideration,

“ The Right of electing Representatives in Parliament is inseparably inherent in the People of *Great-Britain*, and can never be thought to be delegated to the Representatives, unless you'll make the Electors the Elector, and, at the same time, suppose it the Will of the People, that their Representatives should have it in their Power to destroy those who made them, whenever a Ministry shall think it necessary to screen themselves from their just Resentments : *This would be to destroy the Fence of all their Freedom ; for if we have a Right to continue ourselves one Year, one Month, or Day, beyond our Triennial Term, it will unavoidably follow we have it in our Power to make ourselves PERPETUAL.*

“ To say that the passing this Bill is not to grasp to ourselves the Right of Elections, but only to enlarge the Time

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|| But not without a very home Protest, which was signed by Thirty Lords.



of calling new Parliaments, is a manifest Fallacy: For whenever our Three Years are expir'd, we can no longer be said to subsist by the *Choice* of the People, but by *our own Appointments*: And 'tis a Jest to tell me I have a Right to That, which another hath a Right to take from me."

\* \* \* \* \*

"For these Reasons I cannot approve of this Bill; I think it an *open Violation* of the *People's Liberties*; or to speak most mildly of it, a *Breach of our Trust* in that Part which will most sensibly affect them; and of that ill Tendency in its Consequence, that as nothing but the *Security* of the *Ministry* can make it, at this Time, needful, so nothing but a *standing Force* can make it lasting."

But this worthy Member pleaded in vain, as did many others besides him. The Fate of the Bill was predetermin'd; and when \* pass'd, it was submitted to: (tho' the whole People had a Right to *protest* against it, both in Behalf of Themselves and their Posterity.) Of such Weight and Utility is a Standing Army!

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\* By 264 against 121.

## *Parliaments of England.* 207

This Session, however, was not to be † clos'd, without another Sacrifice.

By the Act of *Limitation*, the King was not to go abroad without the Consent of Parliament: His Majesty had now a Fancy to visit the Land of his Nativity, and disdain'd to ask the Leave of his Parliament. His Parliament therefore, most complaisantly and generously, reliev'd him from that *Obligation* too; and thereby gave the Nation to understand, that the *Office* of a King might be supply'd by the *Name*.

There were yet some other Clauses in the Act of *Settlement*, or *Limitation*, which, by good Fortune, had not been repeal'd; among which was the Third, which provided, that *England* should *not be oblig'd to engage in any War for the Defence of any foreign Dominions, &c.*

But tho' this was still in Force, there was a Necessity, it seems, to deprive the good People of *England* of the Benefit of it.

It hath been already observ'd, in a Note, that the King, as Elector of *Hanover*, had purchas'd *Bremen* and *Verden* of *Denmark*,

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† They likewise rejected a Bill from the Lords, allowing Council to all Persons proceeded against in Parliament, for Treason or Misprision of Treason.

and

and that one of the Conditions of the Sale was, That he should instantly declare War against *Sweden*.

This his Majesty had punctually comply'd with; and as the Fruits thereof, we find, that a Project was set on foot, by the *Swedish* Minister here, for an Invasion of *Great Britain*. The very first Day of the Session, *Feb. 20*, the Discovery of 1716-17. the said Project was communicated to the *Commons* by Mr. Secretary *Stanhope*; and *April 3*, his Majesty by Message signifies, That to concert the necessary Measures against *Sweden* may require some Expence; and that he hop'd his Commons would enable him to make good his Engagements, &c. and tho, it was urg'd: *That it was UNPARLIAMENTARY to grant a Supply before the Occasion was known, and an Estimate of the Expence laid before the House*, a Supply was granted nevertheless; not indeed without much Opposition, and some Clashings even among the Ministers themselves: Many of whose Partizans, now, for the first Time, both spoke, and voted against the Court; which being imputed to the Influence of the Lord *Townshend*, he was remov'd from the high Office of Lord Lieutenant of *Ireland*, *April 9*, the very Day the Report was made, and the

the next Morning Messieurs *Walpole*, and *Pulteney*, &c. resign'd.

The 12th, the House being in a Committee upon the Supply, General *Stanhope*, now at the Head of the Treasury, in the room of Mr. *Walpole*, moved for 250,000 *l.* to enable his Majesty to concert Measures against *Sweden*: upon which Occasion Mr. *Pulteney* declar'd, That he could not persuade himself, that any *Englishman* advis'd his Majesty to send any such Message; but he doubted not but the Resolution of a *British* Parliament would make a *German* Ministry tremble. Hence the House, it may be presum'd, was to understand, that the late *Resignation*, and the *Opposition* it produc'd, were owing to the Ascendancy of *Hanover-Councils* in the Cabinet, which the Gentlemen, abovenam'd, could not submit to countenance: But Secret History ascribes them to another Cause, *viz.* to the Ambition of *one Man* to be *sole Minister*; with what Probability, may best be gather'd from the Behaviour of that *one Man* afterwards.

It ought not to be forgot, that while we were thus embarrass'd with *Sweden*, apparently on the Account of *Bremen* and *Verden* only, we were on the Point of being likewise embroil'd with the \* *Czar*, because

\* See the Memorial of the *Russian* Minister to K. *George I.* *Hist. Reg.* 1720, p. 45.

he refus'd to withdraw his Troops out of *Mecklenburgh*, that *Hanover* might elbow herself into the sole Possession of that Duchy likewise, which she then held in Sequestration.

But tho' both these Particulars were canvass'd in Parliament, and very sufficient † Lights had been thrown on the Ends

† *Gyllenburg*, the *Swedish* Minister, had been arrested *Jan. 29*, by the King's Order; and, in answer to the Vindication of that Action, sent by Mr. Secretary *Stanhope* to the Foreign Ministers, a Paper was soon after publish'd, in *French* and *English*, address'd to Mr. *Pettecum*, the Duke of *Holstein's* Minister; in which are to be found the following remarkable Particulars:

“ But to consider with you of those Circumstances, which can be of some Moment in the Accusation, whereof Proofs are not yet extant, you'll do well, I believe, Sir, to be exactly inform'd from what Time Count *Gyllenburg* did begin his dangerous Practices and these pernicious Intrigues; whether it was after that the electoral Court of *Hanover* had so unjustly declar'd War against *Sweden*, ONLY to get into the Possession of the Duchies of *Bremen* and *Verden*, and to maintain an unlawful and unseasonable Acquisition? Or, if it was after the Year 1715, when the eight Men of War join'd the *Danish* Fleet, and so render'd the same superior to that of *Sweden*, which prevented the latter from endeavouring to relieve *Straelund*, which was the Cause of the King of *Sweden's* losing it at Place, and of his being in Danger of falling into the Hands of his Enemies? Or, if it was since last Summer, when the Czar, *Sweden's* most formidable Enemy, had the Command of the *English* Fleet; and Admiral *Norris*, together with the *English* Minister, push'd on, by all possible Ways and Means, the Invasion which the Northern Allies design'd upon *Sweden*, to compleat its utter Destruction; the same Admiral being at hand to countenance that Expedition, had it been put in Execution?”

for

for which this 250,000 *l.* was demanded, and the Uses to which it was apply'd, upon Mr. *Walpole's* complimenting the Court with his Vote, it was carry'd in the Committee without a Division, and upon the Report, by a Majority of 21.

Advantage having been taken by Mr. *Shippen*, of the Quelling of the Rebellion, and the Prevention of the *Swedish* Invasion, to move for a Reduction of the *Standing Army*, it was most loyally over-rul'd, by a Majority of 105. The Government, however, about this Time, vouchsafed to disband 10000 out of about 32000.

An Article of about 2000 *l.* appearing to have been twice reckon'd, in the Bill of Charges, occasion'd by the 6000 *Dutch* Troops, employ'd in reducing the Rebels, it was complain'd of by Mr. *Pulteney* as a Fraud; Mr. *Robert Walpole* supported him, and gave vent to his Patriot Zeal with such an Overvehemence, that Blood gush'd out at his Nose, and he was forc'd to quit the House: The Debate, however, continued with great Heat till Eight in the Evening, when the Ministerial Party made a Shift to carry their Point, by obliging the Chairman to leave the Chair, by a Majority of Ten Voices: an Event that gave no little Satisfaction to those in Power; Mr. *Walpole*

having made himself almost as formidable to the Court, by joining the *Tories*, as he had been to the *Tories*, when in the Service of the Court.

But tho' this was the principal, it was not the only Struggle, between those who *stood*, and those who *fell*; and, during the Progress of the famous *Sinking Fund-Bill*, which was brought in this Session by Mr. *Walpole*, the House was diverted with a personal Squabble between that Gentleman and Mr. *Stanhope*; in which they abus'd one another very heartily.

No Advantages, however, were taken by the House, of the Slips that were made in the Heat of Passion on both sides: On the contrary, tho' it appear'd plainly enough, from the Controversy, that *Places* were sold, and Reversions obtain'd by those in Power, in a manner which scandaliz'd the whole Kingdom, Mr. *Hungerford* undertook to cover the *Nakedness* they had expos'd; instead of making a proper Use of it, by proceeding to such Enquiries, Censures and Punishments, as might deter others from following their corrupt Example: No Body seconding the only Motion (that the honourable Person might specify Names) which had a Tendency that Way.

But

## Parliaments of England. 213

But Mr. WALPOLE was now with the *Tories*, and the Opposition, as usual, pass'd for Righteousness.

His Brother, likewise, since so celebrated for his Negotiations, had the Honour to move, *That whatever Member should accept of a PLACE, should be render'd incapable of being re-elected*; as likewise to second Mr. *Hungerford* in a Motion, for *Leave to bring in a Bill for taking and stating the Public Accounts*; but the last was over-rul'd, and the first came to nothing—So unlucky was this Gentleman while a Patriot!

The Earl of *Oxford* had been committed to the *Tower*, on his being impeach'd by the Commons, *July 12, 1715*; and *May 27, 1717*, the *Lords*, by Message to the Commons, fix'd the *13th of June* for his Tryal: But, tho' almost two Years were elaps'd, they were not yet ready to prosecute; Misunderstandings between the Two Houses, arose in relation to Forms; the Zeal of the great Chairman of the *Secret Committee*, Mr. *Walpole*, was now burnt out; and tho' an Attainder was twice mov'd for, by Sir *William Strickland*, all ended in an Address, That his \* Lord-

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\* It ought not to be forgot, that, among the Clemencies of this Reign, certain Drummers of the Guards were committed to the *Marshalsea*, for beating a Point of War before his Door, and congratulating him on his Deliverance.



ship might be \* *excepted* out of the *Act of Grace*; a Benefit that he never sought after, and which, it was now apparent, he did not want.

The Business of the next † Session, after voting a *Supply*, began with a Debate on the Standing Army: Upon which Occasion, let it be for ever remember'd, that Mr. *Robert Walpole*, now a *Country Gentleman*, appear'd at the Head of the Opposition, and that Mr. *Shippen*, for asserting, with some Qualifications, *That the second Paragraph of the King's Speech seem'd rather calculated for the Meridian of Germany, than of Great Britain; that it was the only Infelicity of his Majesty's Reign; that he was unacquainted with our Language and Constitution, and that our Government does not stand on the same Foundations with his German Dominions*, was sent to the Tower, by Order of the House; on a Division of 175 Voices against 81.

But this Severity against Mr. *Shippen* did not terrify several other Members from do-

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\* This Act was clogg'd with so many more Exceptions (48 in all) that a Member cry'd out, upon the Reading of them in the House, *Who then can be sav'd?*

† About this Time a Quarrel broke out at Court between the King and the Prince of *Wales*, which occasion'd much Talk, and is perhaps not very well understood at this Day.

ing their Duty, and endeavouring to save the expiring Liberties of their Country: among which Mr. *Jeffreys* deserves to be remember'd with Honour: His Speech, upon this Occasion, being so much a Master-piece, both in Matter and Manner, that I assure myself of the Thanks of my Readers for laying it before them, almost entire.

“ I observe in the Debate it has been taken for granted, That the Crown of *England* has a Right to a Number of regular Troops, under the Denomination of Guards. This is a Notion I can by no means give into. It was not so *ab Antiquo*.

“ The first Guards we hear of, the Yeomen of the Guard, which were constituted by *Henry VII.* being of another Kind, were in *Charles II's* Time. That Prince, immediately after his Restoration, got together a small Number of Guards, which, at first, seem'd to be meant only to add to the Equipage and Splendor of the Court. But it soon appear'd, that he had other Views: The Guards, by adding Men to Troops and Companies, and Troops and Companies to Regiments, were insensibly increas'd; so that in the Year 1677, they were got up to five thousand eight hundred ninety Men. Few Sessions pass'd, but they were taken

Notice of in the House of Commons, and though Money was not ask'd of the Parliament for their Support, yet they occasioned a general Uneasiness.

“ About that Time there was a Prospect of War with *France*, on which Pretence an Army was rais'd : But the War not proceeding, an Act pass'd, which gave the King six hundred and nineteen thousand three hundred and eighty-eight Pounds for disbanding the Army. When the Parliament met again, they were told from the Throne, ‘ That the Forces were still kept on Foot ‘ for the Preservation of our Neighbours, ‘ who otherwise had absolutely despair'd, ‘ and for preserving what was left in *Flanders*; and that the King was confident no ‘ Body would repine at the Employing that ‘ Money, which was rais'd for the disbanding of the Army, for the Continuance ‘ of it.

“ This did not satisfy the House, and they came to a Resolution, ‘ That it was necessary, for the Safety of his Majesty's Person, and preserving the Peace of the Government, That all Forces, rais'd since the ‘ twenty-ninth of *September* 1677, should ‘ be disbanded.’ Whereupon that Parliament, which went under the Name of the *Pensioner-Parliament*, was dissolv'd.

“ The

## Parliaments of England. 217

“ The new Parliament which met on the first of *March* following, had the same Apprehensions of regular Troops. Money was given to disband them, and the Act directed, that it should be paid into the Chamber of *London*; and Commissioners of their own were appointed to see it apply'd to that Use. Whatever Diffidence of the King this might imply, I do not find that any Member lost his Liberty for Freedom of Speech on that Occasion. The Opinion *that* Parliament had of a Standing Army, appears in the Resolution they came to, ‘ That the Continuance of standing Forces ‘ in this Nation, other than the Militia, ‘ was illegal, and a great Grievance and ‘ Vexation to the People.

“ I shall now take Leave to consider the Arguments advanc'd for continuing sixteen thousand three hundred forty-seven Men for the ensuing Year.

It is said, ‘ That there is a disaffected ‘ Party in the Kingdom, which makes an ‘ Army necessary.

“ If this Argument will prevail, 'tis strange it has not prevail'd for six hundred Years past, since no Period within that Time can be assign'd, wherein this Argument was not as strong as in the present.

“ During

“ During the long Controversy between the Houses of *York* and *Lancaster* touching the Right of Succession, in which each Side had its Turn of being uppermost, one would think it should have been natural for the prevailing Party, in order to their Security, to have insisted on the Continuance of their regular Troops, at least for a Time. There was a Pretender to the Crown, who had a strong Party in the Nation, and the Government was insecure till the Spirit of Rebellion was suppress'd. It might then, with an Appearance of Reason, have been insisted on, That the Taxes on the Disaffected should be increas'd; that those, who occasion'd the Expence, should bear the Burthen, till the Danger was over.

“ Why this Sort of Reasoning did not then prevail is obvious. They saw it was unsafe to trust any Prince, even one of their own setting up, with such a Power, which, if ill apply'd, might enslave them.

“ Another Period of Time I shall take Notice of, is that of Queen *Elizabeth's* Reign. The Disaffection to her in the Beginning of it was great; occasion'd by the Reformation in Religion, and the Application of Ecclesiastical Revenues to secular Uses. Many Plots there were against her Life. *Spain*, one of the greatest Powers in  
*Europe*

## *Parliaments of England.* 219

*Europe* at that Time, attempted an Invasion, and a more proper Juncture could not have happen'd, wherein to have ask'd for an Army. But instead of that, the greatest Part of the Forces then got together to oppose the Invasion, consisted of Militia; and as soon as the Armado was scatter'd, the Army was disbanded: That Queen being sensible, that the true, the only Support of the Crown, was the Good-will and Affections of the People.

“ Another Argument brought for the Continuance of the Army is, ‘ That the denying it does insinuate a Distrust of his Majesty.’

“ How disingenuous and unparliamentary a Way of Arguing this is, let Gentlemen judge: For to draw that sacred Name into a Debate, must put every Body to Pain, who takes the other Side of the Question, in Regard it may be constru'd, that the stronger the Argument is, the greater is the Distrust.

“ But this Reasoning, in my Opinion, turns quite another Way, and instead of implying a Distrust, argues the greatest Regard to the Safety of his Majesty's Person and Government. Who can answer for the Caprice of an Army, when once establish'd?

“ Although

“ Although no Man living has a greater Esteem than myself for those honourable Gentlemen, who have with so much Bravery serv'd their Country in a military Way, nor shall any Man go farther in rewarding their Services; yet the common Experience of Mankind demonstrates, That it is not reasonable to expect an Army should be always in the same Humour. *Augustus Cæsar* liv'd in great Peace and Security with the Prætorian Bands, which had put an End to the *Roman Liberties*; but the Case was different with his Successors; for of twenty-six Emperors, no less than sixteen were pull'd to pieces by their own Soldiers. Did not the Army here in *England*, in the Times of Usurpation, if I may be allow'd to name them, in a short Space change the Government into ten several Forms? What Treatment did the Parliament, who had rais'd and supported them, meet with from them? They beset the House, repuls'd many Members who would have come in, others they dragg'd out even by the Legs, and at length they were all turn'd out, and the Doors shut up. I say this with the more Assurance, having had the Account from an honourable Person, lately dead, who was an Eye-witness of it. This  
Army,

*Parliaments of England.* 221

Army, 'tis true, which consisted of about Seventeen Thousand Men, afterwards brought in King *Charles* the Second. But that Prince soon disbanded them, being well aware, that the same Army which brought him in, should their Minds change, might again turn him out.

“ This Objection, drawn from a Distrust of his Majesty, deserves another Name. 'Tis an honest, 'tis a reasonable Jealousy of the growing Power of the Crown, which those that went before us always avow'd. May it not with Parity of Reason be said, That because I will not consent, that the King shall by his Proclamation raise Money without Parliament, that this is a Distrust of his Majesty? Because I will not consent to give up *Magna Charta*, and accept of a new Patent at Pleasure, may not this likewise be call'd a Distrust of his Majesty? But suppose, from an Opinion of the Virtue of the Troops, from an Opinion, that Men in Power will not make an ill Use of it, that those who may be Masters, will chuse to continue Servants, that Men under the same Circumstances will not do the same Things, and that we should consent for *ourselves*, to deposite our Liberties in their Hands for a while, will any one say, that



that we have an Authority also to consent on the Behalf of those we *represent*? A Sum of Money, a Jewel, or other valuable Thing is committed to my Care; I, without the Owner's Consent, leave it in the Possession of another, although the Person with whom I left it, does not actually embezzle the Money, or detain the Jewel, yet do I break my Trust, by putting it into his Power so to do.

“ It is self-evident that, by keeping up such a Number of Forces, who may, when they are dispos'd, controul the Power of the Civil Magistrate, the Strength and Security of our Constitution is at an End; and that we have no other Rule of Government left, than Will and Pleasure. The Notion I have of Slavery is the being subjected to the Will of another; and, notwithstanding the Rod be not always on my Back, or the Dragoon in my House, yet, if it is not in my Power to prevent its being so, I am no longer free. After *Augustus* had establish'd his eight thousand regular Troops, the *Roman* Constitution was as much at an End, as it was in *Nero's* Time. Although the Tyranny was not by *Augustus* exercis'd with the like Severity it was by his Successors; yet, from the Time his Power became irresistible, the *Romans* were Slaves.

“ An-

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“ Another Argument us’d for this Number of Troops is, ‘ That there are no ‘ Thoughts of establishing them; but only ‘ continuing them for a Year.

“ If the Notion be true, which no Gentleman in the Debate has deny’d, That the Number of disciplin’d Men now contended for, are sufficient to dictate to the greatest Number of undisciplin’d ; I desire to know who shall dare to bid them go Home ? ’Tis said, indeed, the Parliament will not provide for them : Why may not they then, as others in their Circumstances have done, provide for themselves ? Is it reasonable to think, that Men will starve with Swords in their Hands ?

“ I am sensible, that I have too much trespass’d on Gentlemen’s Patience. I shall say no more ; but that Bodies Political as well as Natural, have their Periods : Governments must die as well as Men ; ours is grown old and crazy ; and tho’ she hath surviv’d her Neighbour, yet I fear her Day approaches.”——Thus far Mr. *Jefferies*.

But Words do not weigh so heavy as Gold ; nor could either *Cicero* or *Demosthenes* carry any Point by the Dint of Rhetoric against the superior Influence of Power and Profit. Thus, upon the Issue of this Debate,

Debate, we find the *German Mode* of governing by *Standing Armies*, adopted by a *British* House of Commons; and all which the People gain'd by the Eloquence of Mr. *Walpole*, was a Saving of about 3 1000 *l.* upon the Estimate; by the Amputation of certain superfluous Expences in the Pay of General Officers, &c. which was carry'd by 14 Voices.

But, tho' the Opposition had received a great Addition of Strength, by the coming over of Mr. *Walpole* and Company, and there seem'd to be a Coalition between the *Tories* and these discontented *Whigs*, it appear'd the Last had their Reserves, and play'd fast and loose as their Managers gave the Word of Command.

Thus we find upon the Land-Tax-Bill, when it became Matter of Debate, whether it should be for 2 or 3 *s.* in the Pound, it was carry'd for the last by a Majority of 67.

Again, when the \* *Mutiny-Bill* was un-

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\* When the *Mutiny-Bill* was brought into the House of Lords, the Army met with as warm an Opposition as it had before done in the House of Commons; the persecuted Earl of *Oxford* taking the Hint to say, That as long as he had Breath, he would speak for the Liberties of his Country, &c. Not only the Duke of *Argyle*, but the Lords *Chelmsdaley*, *Townshend* and *Isla*, speaking, voting and protesting against it, both when it was read and pass'd; and the Court carrying their Point, on the highest Division, but by 19 Voices.

der Consideration of the Commons, the Clause to punish with Death, was carry'd but by 8 Voices ; and yet when the Bill was read the Third Time, the said Mr. *Walpole* and Company deserted, and the Court had a Majority of 81.

Yet farther, when the Merchants \* petition'd for a free Trade with *Sweden*, alledging, that, whereas before the Prohibition they gain'd 30000 *l.* they now lost about † 90000 *l.* the Debate was adjourn'd till that Day Month, by 201 Voices against  
211:

And to crown all, his Majesty having signify'd to the House, by Message, *That it would give Weight to his Endeavours, if a Naval Force be employ'd, where it shall be necessary*; and hinted, *That if he should be oblig'd to exceed the Number of Men granted for the Year, he did not doubt but the House would, at their next Meeting, provide for such Exceedings*; they blindly resolv'd upon an Address of Thanks, for *his Majesty's unwear-*

\* This Step of the Merchants was owing to a late Proclamation, for allowing the Importation of *Swedish* Iron from any Ports but those of *Sweden*; which was no more in effect, than to appoint the *Dutch* to be our Factors for that Commodity, at what Profit they pleas'd.

† A slight Specimen of the Advantages arising to this Kingdom from the Affair of *Bremen* and *Verden*.

ried Endeavours to promote the Welfare of his Kingdoms, &c. and Assurances that this House will make good such Exceedings, without a Division; tho' the Welfare of his Kingdoms was then no Part of the Question; and it was well known, we were entering into a War with † Spain, to oblige the Emperor; for || electoral Views only; the ill Consequences of which we feel and lament at this Day.

1718. During the Recess, the Blow having been struck in the *Mediterranean*, by Sir George Byng, the King open'd the next Session with a gracious Speech, in which he represents the *Spaniards* as the Aggressors; as having made it necessary for our Naval Forces to check their Progress; as rejecting all † Terms of Accommodation; and, therefore, he hopes a *British* Parliament will enable him to resent such Treatment, &c.

† Whose Ambassador had, about this Time, expostulated with our Court, concerning the great Preparations then making, to send a Fleet to the *Mediterranean*.

|| That is to say, to make good the Treaty between the Emperor and his Majesty of 1716; in which they mutually engage to defend and preserve each other, in all the Dominions they then possess'd, or, by mutual Consent, should afterwards acquire.

† One of which, as it afterwards appear'd, was a Sort of Promise of the Restitution of *Gibraltar*.

Ac-

## *Parliaments of England.* 227

Accordingly, the Court-Party mov'd for an Address to signify their *entire Satisfaction in those Measures which his Majesty had taken*: But this was oppos'd by Many; and by Mr. R. *Walpole* in particular, who said, That the giving the Sanction desir'd, could have no other View, than to *screen Ministers*, who were conscious of having done something amiss, and who would make a War of *their own* the *Parliament's War*: Wherefore, said he, we ought rather to express our *entire Dissatisfaction* with a War, that was contrary to the Law of Nations, and a Breach of solemn Treaties, &c: But all was to no Purpose: the Question was put, and *entire Satisfaction* carry'd it, by 216 Voices against 155.

A War with *Spain* was, some \* Time after, declar'd in Form; which being communicated to the House, *Thanks* was again the Word; and a Resolution pass'd, to support his Majesty in it; (on a Division of 178 and 107) tho' it had been urg'd in the Course of the Debate, That the Concerns of *Britain*, viz. the Violations of the Treaty of Commerce, would have been overlook'd, provided *Spain* would

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\* December 17, 1718.

have accepted the Terms provided for her by the || *Quadruple Alliance*; nay, that it appear'd the King would have sacrific'd † something of his own (*Gibraltar*) to procure the general Tranquility: whence Mr. *Shippen* took Occasion to insinuate upon the Whole, *That the War was calculated for another Meridian.*

The \* Supply was the next Parliamentary Consideration, which, under the Heads of Land Tax (Three Shillings in the Pound) and Malt Bills, was carry'd thro' both Houses within the Compass of one Month, and pass'd in one Day. So strong was H——r Influence, and so excessive, *British Complaisance!*

¶ Between the Emperor, *Great Britain, France*, and afterwards *Holland*: sign'd *July 22, O. S.*

† See Mr. Secretary *Craggs's* Answer to the *Spanish* Ambassador's (Marquês de *Monteleone's*) Letter. *Hist. Regist.* 1718, Page 300.

\* The Estimates for the Service of the Year amounted to 2,257,582 *l.* 9 *s.* 10 *d.*  $\frac{2}{3}$ , Besides 110,000 *l.* for the Half Pay of Land and Marine Officers, 25000 *l.* for the Extraordinaries of *Chelsea* College, and 25000 *l.* only for the Half Pay of the *Sea Officers*. The House likewise, being inform'd by his Majesty, in a Speech from the Throne, that the Kingdom was threaten'd with an *Invasion* from *Spain* in behalf of the *Pretender*, &c. came into an unanimous Vote to support his Majesty with the utmost Vigour, and to desire his Majesty to augment his Forces by Sea and Land, in what Manner he should think fit.

I shall

I shall but just mention the Repeal of the most rigorous Clauses of the *Occasional Conformity* and *Schism Bills*, which took place this Session; for, tho' it was patroniz'd at Court, thwarted by the Opposition, and cavill'd at by the Church, it had its Foundation *in Equity*, remov'd an Oppression, and, therefore, became properly the Duty of Parliament.

They likewise order'd an Address for an Account of Pensions bestow'd on Members, and beneficial Grants directed to the Lords of the Treasury: But tho' the said Address was comply'd with, we do not find that any Lights were obtain'd by it, or at least that any Advantages arose from it.

The Parliament being prorogu'd *April* 18, notwithstanding the Fears which had been propagated of an \* *Invasion* from *Spain*, his Majesty made a Visit to his *German* Dominions, and the Summer was render'd remarkable by the Expedition to *Vigo*, under the Lord Viscount *Cobham*, the taking of *St. Sebastian's*, by

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\* Which ended in a ridiculous Attempt upon *Scotland*, with about 300 *Spaniards*, who being join'd by 1000 *Highlanders*, were defeated by General *Wightman*, *June* 10.



the Duke of *Berwick*, and the Destroying three large Men of War upon the Stocks, at *St. Antonio*, &c. by the *English* and *French* in Conjunction.

Upon the opening of the next Session, <sup>1719.</sup> *November 23*, the Speech was swallow'd in the Lump, as if become a Matter of Form only; and the Address, as usual, contain'd a Sort of *Engagement* to comply with all the King could ask: and, accordingly they voted 13500 Seamen, and 14469 for the Land Service, laid Three Shillings in the Pound upon Land, and provided all the other Ways and Means, necessary for that Year's Complement to the Views of the Crown.

But how pliant soever they appear'd, in those Points which fell heaviest on their Constituents, they prov'd immovable in the only Point which more immediately affected themselves: I mean the \* *Peerage-Bill*; which they threw out by

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\* It had been introduc'd into the House of Peers, by the Duke of *Somerset*, the Session before; and provided among other things, That, in Lieu of the Sixteen elective Peers of *Scotland*, Twenty-five Peers, to be declar'd by the King, before the next Session of Parliament, should have hereditary Seats in Parliament; and, in case of Failure of any of these, the Defect was to be supply'd out of the *Scottish* Nobility.

That

## Parliaments of England. 231

by above 90 Voices, tho' indirectly recommended to them from the Throne, *as a proper Method to transmit to Posterity the Freedom of our happy Constitution, and particularly to secure that Part of it which is most liable to ABUSE.*

I shall make but one Remark on this mysterious Bill, *viz.* That, if it had pass'd into a Law, and stood till this Day un-repeal'd, it is probable, a certain Place had not been converted from the ultimate Resort of Justice, into a Sanctuary for C—ls.

The History of the Funds, I have touch'd upon but very slightly, as requiring more Time and Room than I have, at present, to spare. But I should be inexcusable, if I did not observe, That, during this Session, the *Bank and South-Sea Com-*

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That the Number of *English* Peers should not be enlarg'd, without precedent Right, beyond Six, above what they were at present; but as any of the said present Peers, or such Six new Peers shall fail, their Number may be supply'd by new Creations of Commons, natural born Subjects of the Kingdom.

That no Creation, for the Future, be made by Writ, nor any Patent extended beyond the Grantee and the Heir Male of his Body.

That these Restraints shall not extend to Princes of the Blood.

And that every Creation, contrary to these Resolutions, should be null and void.

panies, (one under the Protection of Mr. *Aislaby*, then Chancellor of the *Exchequer*, and the other under Mr. *Robert Walpole's*,) bid against each other for the Jobb of enlarging their Capital, by taking in by Subscription, certain Annuities and other redeemable Debts, and that the *South Sea* carry'd it: Since, by the Credit of their Triumph, the Managers of the Last were enabled to bring into play that pernicious \* Scheme, which then began to infatuate the whole Kingdom, and soon after reduc'd it almost to the Brink of Ruin.

But tho' Mr. *Walpole* was distanc'd in this Affair, he did not lose the next Opportunity which offer'd, to pay his Court to the King, by seconding Mr. *H. Pelham's* Motion, for an Address of Thanks to the King, for having, by Message, *desired the Advice and Assistance of the House, in relation to his granting † Patents for erecting Corporations*  
to

It is remarkable, That when the *South-Sea* Bill was first brought into the House of Lords, Earl COWPER compar'd it to the *Bank*, *contriv'd by Treachery, usher'd in by Fraud, and supported by a Pump, but big with Destruction.*

As to the Dispute between the *Craftsman* and *Gazetteer*, concerning the *Bank* Contract, an Account of this periodical was given by the first, in the following Words: It was first the *Reconciliation-Bargain*, but is now, at present, by the Name of the *Two Insurance Companies*.

## Parliaments of England. 233

to insure *Ships and Merchandizes*: on the other Hand, no Trace is to be found of his supporting a Motion of Sir *William Wyndham's*, for an Account of the Debts and Ar-rears of the *Civil List*, which pass'd in the *Negative*; and, tho' an Address was voted, for an Account of the 250,000 *l.* granted in the Third Year of his Majesty's Reign, to enable his Majesty to concert Measures against *Sweden*, as likewise another concerning the *Pensions and Grants*, address'd for once before, Those in Power took Care to have the Session clos'd, without giving the Nation any Light into those dark Affairs; notwithstanding the King stood engag'd by his Answer to those Addresses, to give the House the Information they had, with so much Reason, desir'd.

June 11, his Majesty prorogu'd the Parliament, and the 15th, embark'd at *Greenwich* for *Hanover*, many of his Train having first very discretely dispos'd of their *South Sea Stock*; tho' the King, in his Speech,

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*Companies*; which gave Money to the Civil List for the Privilege of becoming Two Bubbles, under the Sanction of an Act of Parliament; at a Time too when the Treasury was provided with Ways and Means for the Supply of it otherwise; and when the *South Sea* Directors, who were afraid of this unnecessary Fewel, offer'd to advance the Money for the Civil List, upon sure and easy Terms, rather than let those Bubbles take place."

at

at the Close of the Session, had taken very advantagious Notice of the *Foundation laid this Session for the Discharge of the Public Debts*; meaning the Act for enlarging the Capital of that Company before spoken of.

And now it was, that the great Patriot, Mr. *Walpole*, condescended once more to accept the Favour of the Court (or rather the \* Reward of his late special Service) in the Shape of Paymaster-General; the first Place in the Treasury, which he had enjoy'd before, having been bestow'd upon the Earl of *Sunderland*.

In *July*, the Congress of *Cambray* was open'd, and the 19th of that Month *South Sea Stock*, from 1000 *l. per Cent.* fell to 400 *l.* This drew on the famous *Bank Contract* of *September 23*, by which the *Bank* oblig'd themselves to circulate the *South-Sea Bonds*, and the *South-Sea Company* was to pay them 3,775,000 *l.* for the Job: But many Bankers and Goldsmiths failing about this Time, as likewise the *Sword-Blade Company*, this Expedient fail'd likewise: *South-Sea Stock* fell, in a Week's Time,

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\* We have been since told, by an *Occasional Craftsman*, That tho' this eminent Gentleman was not at the Head of the Treasury till the *April* following, he had bargain'd for it already, and gave himself the Airs, and exercis'd the Power of a Prime Minister accordingly.

to † 150; and the Lords of the Treasury were forc'd to come to the *Bank* and subscribe 100000 *l.* in his Majesty's Name to keep up the Credit of the *Bank* itself.

While the Nation was in this dreadful Situation, a Proclamation was issued for proroguing the Parliament to the 25th of *November*, at the same time declaring, *They should then sit for the Dispatch of Business*; notwithstanding which, it was again prorogued to the 8th of *December*; when the King open'd the Session with a Gospel-Speech, signifying <sup>1720.</sup> *Peace on Earth, and Good-will towards Men!* recommending Prudence, Temper, Resolution, the finding out speedy and effectual Methods to restore public Credit, and proper Remedies for our Misfortunes, demanding Supplies, setting forth the good Condition of our Trade, and declaring we had the most flourishing Navy of any Nation whatever, to protect it: But not one Word of Enquiries, Censures, Punishments, &c. And, by way of Echo to the *British* Throne of Mercy, Mr. *William Pulteney* mov'd for an Address of Thanks; which Mr. *Shippen* would have had clogg'd with a Clause, signifying a Concern for the *Honour of Parliaments*,

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† Which was the Price it bore, *Feb. 2*, when the House accepted the Proposals of the *South-Sea* Company.

## 236 *A Detection of the*

*the Interest of the Nation, and the Principles of Justice*, but was defeated by a Majority of 261 Voices against 103.

As to the Supply, as before observed, it was become a Thing of Course, and so was carry'd *Nem. Con.* Ten Thousand Seamen were also found necessary for the Service of the Year; as was likewise a Land Army of 14294 Men: Mr. *Robert Walpole* taking upon him to convince the House, that 3 or 4000 Men were not worth disbanding.

With respect to the *South Sea Conspiracy*, an Order was made, tho' not without Opposition, for the Directors to lay before the House an Account of their Proceedings; and some Papers were deliver'd in accordingly: But before they were taken into Examination, the great *Patriot*, last mention'd, gave Notice to the Committee, that he had an Expedient to introduce for the restoring public Credit; as the main Foundation of which, he requir'd, *That all Contracts made with the South Sea Company, should remain in their present State*; which, tho' an apparent Ratification of many *fraudulent* Practices committed by the Directors, was comply'd with by a vast \* Majority.

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\* In the Committee 259 against 119; in the House 232 against 88.

## Parliaments of England. 237

The Way being thus clear'd, the mighty Secret was disclos'd ; which was, to ingraft nine Millions of *South Sea* Stock into the *Bank*, and as many into the *East-India* Company ; and this, we are told, for want of a better † Scheme, was, at that Time, accepted of.

But in the Middle of these Transactions, the *Malt* and *Land-Tax* \* Bills having been already agreed to, the *Mutiny-Bill* was introduc'd ; which being complain'd of by Sir *Joseph Jekyll*, as something unusual so early † in the Session, and what seem'd to indicate, *That such a Hurry was intended to stop the Prosecution of the Authors of the present Misfortunes.* Mr. Secretary Craggs was pleas'd to wonder, *That ANY OPPOSITION should be made to so NECESSARY a Bill, especially by a Person who had receiv'd such signal FAVOURS from the CROWN.*

A Reproach, which so manifestly arraign'd the Integrity, and encroach'd on the Freedom of Parliaments, one would have thought, must have drawn down the Resentment of the whole House ; but tho' the

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† Mr. *Hutcheson*, upon the Report, insinuated, that if the Question might be re-committed, he had something more effectual to propose : But he talk'd to the Deaf.

\* For Three Shillings in the Pound. † *January 4.*



Lord *Molesworth* endeavour'd, by a warm Speech, to make them sensible of the Insult, no Notice was taken, and Sir *Joseph Jekyll* very prudently withdrew his Opposition to the Bill.

Soon after, Mr. *Robert Walpole's* ingrafting Project came again under Consideration ; and, in the Course of a Five Hours Debate, was represented, as like to prove a dangerous Palliative, rather than an effectual Remedy to the present Distemper, and, being founded on a notorious Piece of Injustice, viz. the obliging the Subscribers of Annuities and Money, to take *South-Sea* Stock at above double its Value, would rather farther hurt, than restore Public Credit. But Mr. *Robert Walpole* answer'd all Objections, and so manag'd it, that the Question was carry'd for the Ingraftment, by a Majority of 133 : A Bill was accordingly order'd in, which gave Occasion to farther Debates, while passing through the usual Forms of the House ; but, being vigorously supported by the Courtiers and their new Leader Mr. *Walpole*, it made its Way thro' all Opposition, and in the End pass'd into a Law ; to what Purpose will be seen by and by.

With Regard to the Steps affected to be taken, towards the unravelling the great  
Mystery

Mystery of Iniquity, and to do the Nation Justice upon its Betrayers, the Commons prepared an Act *for restraining the Sub-Governor, Deputy-Governor, Directors, Cashier, Deputy-Cashier, and Accomptant of the South Sea Company*, from going out of the Kingdom for the Space of one Year, &c. and *for discovering their Estates and Effects, and for preventing Alienations*; and the Lords another, *To disable the present Sub-Governor, Deputy, and Directors of the South-Sea Company from bolding, for the future, any Office, Place, or Employment in the said Company, or the Bank, or the East-India Company, and from Voting upon Elections in the said Company*; both which received the Royal Assent *January 25.*

The Commons, likewise, appointed a Select Committee of Thirteen, to enquire into all the Proceedings relating to the Execution of the *South Sea Act*: This was done *Jan. 11.* But, tho' they proceeded upon their Office immediately, and Mr. *Robert Knight*, the *South Sea Cashier*, had been, in part, examin'd, both before them and the House of Lords, he was suffer'd to make his \* Escape the  
22d;

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\* He was afterwards secur'd at *Antwerp*, at the Instance of the *British Secretary at Brussels*: But Ways and Means were

22d: in Consequence of which, it was urg'd, That Lights were wanting, and Evidence fail'd, to trace the Conspiracy to the Fountain Head, and fix the Guilt of it, where it principally belong'd.

According to the Report of the Secret Committee, (which it was not thought fit to make public) and the Examinations taken in the House of Lords, it appear'd that large Sums in *South-Sea* Stock had been given for procuring the passing the *South Sea Act*, (see last Session,) to several \* Persons both in the Administration and House of Commons (of whom Lists were handed about at that Time,) and this the Lords voted to be a notorious and dangerous Corruption: The Commons, likewise, came to several Resolutions on the Report of their Secret Committee, specifying the several Frauds and Breaches of Trust which the

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were found to trump up an obsolete Privilege of the States of *Brabant*, to countenance the Emperor, for refusing to deliver him up (as he was requested to do by his Majesty, at the Instance of both Houses) till he made his Escape a Second Time, together with the Serjeant who had him in Charge. He hath of late receiv'd and pleaded his Pardon.

\* No less than Forty Persons, as well Lords as Commons, were nam'd: and about 300,000 *l.* had been given away in Brokers Names, who purg'd themselves from having any Connern therein, upon Oath.

*South*

## *Parliaments of England.* 241

*South-Sea* Directors had been guilty of: and among the Rest, That the taking in, or holding of Stock by the *South-Sea* Company; for the Benefit of any Member of either House of Parliament, or Person concern'd in the Administration, &c. without any valuable Consideration pay'd, or sufficient Security given, &c. and the Company's paying or allowing such Persons the Difference arising by the advanc'd Price of Stocks, were corrupt, infamous, and dangerous Practices, highly reflecting on the Honour and Justice of Parliaments, and destructive of the Interests of his Majesty's Government.

But, notwithstanding these Resolutions, when that Part of the Report came under Deliberation, which charg'd Mr. *Knight* with taking in 50,000 *l.* Capital Stock for the Use, and on the Account of the Earl of *Sunderland* (who, as yet, was at the Head of the Treasury) upon putting the Question, it pass'd in the Negative, by a Majority of 233 Voices against 172.

To sum up this whole Affair in a few Words (which would require a Volume to detect and expose as it deserves,) Tho' the Mischiefs done by this infamous Conspiracy was visible to the whole World, and no *Skreen* whatever was broad enough to cover the Guilty from the Knowledge

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and

and Resentments of the Public, the public Vengeance fell only upon Mr. *Aislabbie*, (who was made the *Scape-Goat* of the Ministry,) the Directors, and the Estate of Mr. *Craggs* Senior, then in his \* Grave, in the Shape of Expulsions, Fines, and Disqualifications.

As the Majority without Doors had tasted of the Calamity, there is but too much Reason to fear the Majority within either partook of the Guilt, or were prevail'd upon to join in compounding the Felony: Not only Court-Lords, but Court-Ladies, had put in for a Share of the Spoil; nor could hardly any Suspicion arise, but had some plausible Circumstances to warrant it.

The State-Undertakers of those Times, therefore, study'd only to skin over the Wound, not to lay it open; to quiet the Clamours of the Sufferers, not to do them Justice; and rather to serve themselves than the Public: Thus we are not to think Mr. *Aislabbie* more guilty than Lord

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\* As was likewise his Son, the Secretary of State, who dy'd just a Month before his Father; Earl *Stanhope* also, the other Secretary, dy'd Eleven Days before his Colleague; which two Vacancies were soon supply'd by the Lords *Townshend* and *Cartaret*.

*Sunderland*, because one escap'd and the other was punish'd: His Lordship, it may be presum'd, bought his Peace at the Price of his Office, and as Mr. *Aislaby*, perhaps, was not altogether so forward to compound, it was necessary he should be remov'd: Both Places were now to be enjoy'd by the same Person: and it must be acknowledg'd a notable Strain of Policy, by one and the same Measure, to punish a Delinquent and remove a Rival.

By the *South-Sea Act*, the Lords of the Treasury were empower'd to see that the Directors did not abuse their Trust: But these Powers of theirs they made over to the Directors themselves; and the House of Lords justify'd them for so doing; on a Division of 63 Voices against 28.

Of this Circumstance, however, it doth not appear that the Commons avail'd themselves, in their Share of the Prosecution; which gave Mr. *Aislaby* great Advantage in his Defence before the Lords: For, as he shrewdly insinuated, if he was guilty, the other Lords of the Treasury could not be innocent: And yet we have seen that the First Lord in the Commission, had the good Luck to meet with a Parliamentary Absolution.

The great Mr. *Walpole's* Ingrafting Scheme loon appearing to be, as at first represented, a Quack-Medicine, which only patch'd up the Constitution, without repairing it, the House enter'd into farther Deliberations for the Restoring of Public Credit; and in Order thereto, resum'd the Advantages they had before given the *South-Sea* Company, by dividing the Capital Stock belonging to the Company, in their own Right, and discharging all the Loans upon pledg'd Stock at 10 *per Cent.* which amounted to an immense Sum: and by Way of Equivalent to the Company, remitted \* Five of the Seven Millions due from them to the Public, as the Consideration of the Bargain, their Managers had so infamously abus'd.

But, tho', in every Step of this iniquitous Affair, the close and intimate Connection between the Court and the Company appear'd in such a glaring Light, when a Motion was made for incapacitating Directors of the Three Great Trading Companies from being elected Members, it was oppos'd by Mr. *Walpole*, and consequently thrown out by 253 against 166.

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\* The other *Two* were remitted afterwards.

Certain other *Jobs* remain to be mention'd before we come to the close of the Session, *viz.*

The Plague raging violently in the South of *France*, and suitable Apprehensions being entertain'd here, a Quarantine-Bill was brought in and pass'd; which empower'd the Government to remove any infected Person to a Pest-house, or any well Person out of an infected Family; as likewise to draw Lines, or Trenches round any Place infected: with Penalties unknown to, and utterly irreconcilable with, a free Constitution.

*June* 16, His Majesty by Message, requir'd of the House to be \* enabl'd to make good a Subsidy-Treaty, he had enter'd into with *Sweden*: Upon which Occasion my Lord *Molesworth* signify'd, That we were become the Allies of the whole World, and the Bubbles of all our Allies, That our Treaties with *Sweden* contradicted each other. That the Engagements in our last, interfer'd with our Obligations to *Denmark*, and were directly opposite to the Measures formerly concerted with *Russia*. That if the *Czar* was to part with

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\* With a Sum of 72,000 *l.*



his Share of the Spoils of Sweden, *Hanover* ought to do the same. That if the *Swedes* were become miserable, they deserv'd it, by their *tame Submission* to a despotic Prince, and by exhaulting their whole Substance in Support of his unjust and ambitious Designs, adding, *That any Nation who follow'd their Example deserv'd their Fate.* He then imputed the late Rupture with the *Czar*, to the Affair of *Mecklenburgh.* Urg'd that *England* ought not to intermeddle with the Affairs of the Empire. That Naval Stores was all we wanted for the *Baltick.* That *HEMP*, indeed, was a very necessary *Commodity*, especially at this *Juncture.* But that, with due Encouragement, we might be supply'd with it from our own Colonies.—His Lordship had his Speech, and the Court the Money, by a Majoirity of 61.

And *July 11*, his Majesty by another Message, gave the House to understand that he wanted no less than 550,000 *l.* to disencumber his Civil List; which, large as it was, would not serve to keep his Majesty out of Debt. He nevertheless promis'd to retrench, &c. and condescended even to propose how the Sum, in Request, might be rais'd *Viz.* by a Deduction to  
be

## *Parliaments of England.* 247

be made out of the Salaries and Wages, Pensions, and other Payments of the Crown.

Mr. *Shippen* was the only Man who had the Honour to treat this Message as it deserv'd; among other things observing, That if not only the Sum, but the Manner of raising it, was to be pointed out to them, it was making the House a perfect Parliament of *Paris*, and that if Things came to this Pass, it would be easy for any King, whenever he thought fit, to make himself arbitrary.

Nobody seconding this Speech, the Affair was referr'd to the general Committee; in which an Endeavour was us'd, to make the *Civil List* contribute to the Discharge of the National Debt as well as the King's, by moving first for 1 s. 6 d. in the Pound on all Salaries, &c. but that being over-rul'd it was carry'd for a Shilling, Half of which was to answer the King's Demand, and Half to go to the public Service: But, tho' the Numbers were now 153 to 63, when the Resolution came to be reported, the House disagreed to the Committee, and the Court carry'd it for Six-pence only by 132 against 83: By which Means the King's Debts were taken Care of, and those of the Nation dropt: And upon this Occasion, we have

the first public Hint of a Misunderstanding between that *Par Nobile Fratrum*, Messieurs *Walpole* and *Pulteney*; the Last reproaching the First, with altering his Mind, as he was *in* or *out* of Place; and hinting, that as he might be *out again* in a Twelvemonths Time, so he might then be of another Opinion. To which Mr. *Walpole* reply'd; It was possible he might be *out* again: But whenever that happen'd, he should be *glad* to \* resign to a Person of so much Merit as Mr. *Pulteney*.

Upon *April* 29, at the Motion of Mr. *Shippen*, an Order had been made for the Secret Committee to enquire what Officers of the Revenue had employ'd the public Money in their Charge, to the Purchase of Stock, Subscriptions, &c. who, *June* 5, among several other scandalous Particulars, charg'd Mr. *Hampden*, then Treasurer of the Navy, and others, with Practices of this dishonest Nature: But Methods were found out to divert the House from coming to any Resolutions thereon, till the Session was brought to a Period.

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\* This very Event hath since partly taken Place: But whether by Choice or Compulsion, seems to remain still a Question.

Hence

## *Parliaments of England.* 249

Hence it appears, That it was safer to join in the Corruptions of the Times, than to detect and expose them : Thus *Mist* the Printer, having set forth a Journal, which gave great Offence to those who were gall'd in it, the Commons order'd the said *Mist* † to be committed to *Newgate* ; resolv'd upon an Address to the Throne, expressing their Abhorrence of the said Libel, &c. &c. and appointed a Committee, not only to enquire into the Authors, &c. of that Libel, but of all other Papers distinguish'd by them, with the same Appellation ; who, in their Report, were pleas'd to involve all the obnoxious ‡ *Journalists* of the Times, *Whig* as well as *Jacobite*, in the Persecution commenc'd against *Mist* ; and, if they had not wisely kept out of the Way, 'tis odds but they had shar'd in his Punishment.

For the same Reason, therefore, that so much Clemency was visibly shewn to the *Public Robbers*, and so much Rigour to the *Public Advocates*, it must be concluded, that the Act for a *gracious, general, and free*

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† A Proclamation was issued, offering a Reward of 200 l. for the apprehending of Two of his Servants.

‡ *Charles Molloy*, Esq; *Samuel Foster*, Esq; and Mr *Thomas Gordon*.

## 250 *A Detection of the*

*Pardon*, with which the Session concluded, was obtain'd by the Interest of the first, and not with the least View of shewing Mercy to the last.

As both Houses were prorogu'd without the usual Speech, and but for three Days, it must be presum'd, that the Necessity of their being call'd together again was very clearly foreseen ; tho' his Majesty, in his Speech, upon that Occasion, *July 31*, is pleas'd to call his Summons both *sudden* and *extraordinary*.

However this be, the sole Business that was done, was to prepare a Parliamentary Drench to silence, if not satisfy, the *Proprietors* of the *Redeemable Funds* ; the Dose was form'd of a Dozen Ingredients, and was call'd, *A Bill for making several Provisions to restore Public Credit, &c* : But this not giving Satisfaction to the Patients it was design'd for, they presented a Petition, praying to be heard by their Council against it, which was order'd to lie upon the Table : They, moreover, accompany'd this Petition of theirs in a Body, and waited the Event in the Lobby of the House ; which gave the Hint to some of the leading Members to move, that Certain of the *Westminster* Justices might be order'd to attend ; which they did accordingly ; and were directed by  
the

*Parliaments of England.* 251

the Speaker to *clear* the Passages to the House of the riotous People which infested them.

This, with a Guard of Constables, they undertook, but could not accomplish, till they had caus'd the Proclamation against *Rioters* \* to be read.

By the 10th of *August*, this Qualifier having pass'd thro' all the Forms, the King came to the House, and with Thanks, &c, as usual, put an End to this *occasional* Session.

We are now come to the last Session of this assuming Parliament, <sup>1721.</sup> which having been return'd for THREE Years, continued themselves, by their OWN AUTHORITY, for SEVEN ; and, tho' compos'd of *Whigs*, within that Time, went farther in the empoverishing and enslaving their Fellow-subjects, than all their Predecessors together from the Restoration.

The King's opening Speech was admirably well adapted to disarm Disaffection, and bespeak the Public Favour, at the next

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\* Upon which Occasion, some of the Petitioners took the Liberty to say, *That they came as peaceable Subjects and Citizens, to represent their Grievances ; and did not expect to be us'd like a Mob, and Scoundrels : To which others added, (to the Members going out) You first pick our Pockets, and then send us to Goal for comp'aining.*

general Election.—All was Grace and Goodness, Paternal Concern and Public Spirit.—It publish'd the glad Tidings of a general Pacification, recommended the extending Commerce, express'd a Sense of the Public Grievances, and a Desire of having them diminished.—Manna! Honey! and the Honey Comb!

That an Address of Thanks for so palatable a Speech, was easily carry'd, will scarce be wonder'd at, in an Age so complaisant as ours; nor that a Supply should be granted as soon as ask'd; Supplies being now the chief, if not the only, End of Parliaments.

But that, when it had been declar'd from the Throne, we were at Peace with all the World, the Necessity of a † *Standing Army* should not only be insisted upon, but allow'd, might very well astonish those who remember'd, that King *James's* Standing Army, in Time of Peace, was one of the Pleas for the Revolution; and who were still ridiculous enough to fancy, that Votes and Resolutions were govern'd by Reason and Conscience, not Passion and Interest.

But in Seven Years Time, a *Standing Army* was become Part of the Constitution; and was, therefore, already consider'd as a

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† 14,294, New Officers included, besides 1859 Invalids.

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Thing which was to pass of *Course*. To have the *fingering* of a mighty Sum was the grand Point the Ministers had in view : The Inclinations of the People were not to be trusted ; but their Wants and Vices, their Venality and Corruption, were a *Soil* that promis'd the richest *Returns* ; provided the Golden Grain was liberally scattered, and the Glebe properly prepar'd to receive it.

To answer all these politic Ends, by the most plausible Means, the Ministers, or, at least, their Tools, express'd themselves in a very pathetic Manner, on the *overgrown* Debt of the Navy, amounting to 1,700,000*l.* 1,100,000*l.* of which were *said* to have been out-standing ever since the Death of *Queen Anne*, tho' never once thought of before : To appear yet more moderate in their *Demand*, they likewise gave the House to understand, that they *desir'd* but One Million, this Year, towards the Discharge of it ; and, so *irresistable* was *Court-Eloquence*, that the round Million was carry'd without even the *Ceremonial* of a Division.

This bold Stroke, however, gave such an Alarm to the *Minority* in the other House, that they took the Premises into a very serious and thorough Consideration ; and in the Course of several Days long and  
vehement



vehement Debates, made it appear, that the Navy Debt, instead of being 1,100,000 *l.* at the Death of the Queen, as had been suggested, was no more than 764,088 *l.* 3 *s.* 11 *d.* *Net*, on the 31st of *December* 1717: That the Residue of the Debt was grown since that Time: That *several* irregular, unprecedented, and unwarrantable Practices (by them † enumerated) had contributed to the Growth of the said Debt, but more especially our *Baltick* and *Mediterranean* Expeditions, in which the Service of *Great Britain* was no wise concern'd, and by which her Interest was greatly endanger'd: &c. In a Word, so high was the Dispute carry'd, that it gave Rise to a Question, *Whether the Act of Settlement had not been broken*; which pass'd in the Negative; as, indeed, did all others that tended to throw the necessary Lights on our *Northern* Transactions; which, in Return for annual Fleets and annual Subsidies, had produc'd nothing to us (whatever they had done to *Hanover*) but the empty Guaranty of *Sweden* to the Protestant Succession, now so fenced in upon all Sides, as to be no longer in Danger.

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† See the Lords Protefts for the Year 1721-22, which, in this one Session only, amounted to TWENTY-SIX.

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To the Debates of the Lords, during this Session, we owe likewise a Record, that the *French* Navy was recruited, with Men of War of 60 and 70 Guns, built in the Ports of *England*; and that our virtuous Government conniv'd at it.

And by a Protest, *Feb.* 20, we find, that the Public Debt had increas'd, between the 31st of *December* 1717, and the 31st of *December* 1720, at least 2,300,000 *l.* notwithstanding the Sinking Fund, within that Time, produc'd 1,910,385 *l.* 14 *s.* 6<sup>1</sup>/<sub>2</sub>.

But to return to our Representatives:

As another *Sweetener*, the *Quakers* were indulg'd with a Privilege of using their Solemn *Affirmation* in the Place of an *Oath*; and a Bill was brought in by Mr. *Hutchinson*, for the better securing the Freedom of Elections; the Necessity of which he exemplify'd in the following memorable Words:

“ It is too notorious what Attempts are now carrying on to invade the Freedom of your approaching Elections; in some Places by *Threats*, to fright and over-awe them with the *Quartering of Troops*, if they do not comply; in others, by the *corrupt* Solicitations of *Agents* and *Undertakers* employ'd by those who, from the *incredible Sums*, which are dispers'd, one must imagine, have

MORE

MORE than *private Purfes* at their Com<sup>mand</sup>.  
mand.”

“ But what, in *God's* Name, can all this tend to ? What other Construction can any Man, in Common Sense, put upon all these Things, but that there seems to have been a † FORM'D DESIGN, by *Violence* and *Oppression*, first to humble you, and to make your Necks plyable to the Yoke that is design'd for you, and then to finish the Work, by tempting the Poverty and Necessities of the People, to sell themselves into the most abject and detestable Slavery, for that very Money, which had either been unnecessarily rais'd, or mercilessly and unjustly plunder'd and torn from their very Bowels ? ”

† This very Expression was, before, made Use of by Mr. *Hutcheson*, in his excellent Speech on the *Septennial Bill* ; and is there explain'd to be a Design, *To govern the People by their Fears*, which is the genuine Characteristic of a Tyranny. In the same Speech he hath, likewise, made Use of the following remarkable Expressions, *viz.*

*I beg, Gentlemen, to consider, whether a greater Curse can fall on any People, than to serve such a Parliament as THIS (which he had before describ'd) and entail'd upon them.*

*Note*, This Gentleman became so obnoxious to those in Power, for his Attachment to his Country, that he was oppos'd at *Hastings* by *William Pulteney*, Esq; now Earl of *Bath*, under the Patronage of the Duke of *Newcastle*, who made Interest for him in Person ; and Ways and Means were found to render his Election, in the next Parliament, for *Westminster*, void ; tho' return'd by a Majority of 1784.

And

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And in another Place,

“ Ministers would then be neither able to SKREEN *themselves*, or their *Friends*, against your *Enquiries*, and the boldest and most *enterprizing* of them, would be made to tremble at the Apprehensions of your *Animadversions* upon them: Nor should we then (it is to be hop'd) sit *tamely* here, and see our Country harrafs'd with the Expences of *fruitless Expeditions* Abroad, and with the Maintenance of a *Standing Army* at Home, dangerous to our Constitution and Liberties.”

Thanks to the Season, not the Virtue of our Ministers or Members, this Bill was suffered to pass thro' the House; but then it was only in order to its being rejected by the Lords; which was done upon the second Reading; not indeed without a vigorous Opposition, nor unaccompany'd with a very severe Protest; which, (tho' one of those many obnoxious ones that were ordered, this Session, to be *expung'd* by the Majority,) still bears witness, that it had Truth for its Foundation.

Being now to take our Leave of this extraordinary Parliament, it may possibly be expected that I should give a Summary of its Merits: But, instead of drawing a Character, I shall content myself with relating a Fact.

S

Sir

Sir *John Cope*, Baronet, accuses Sir *Francis Page*, one of the *Barons* of the *Exchequer*, of endeavouring to corrupt several of the leading Members of *Banbury* Corporation, against the next Election; and, in Support of his Charge, produces the Mayor of *Banbury*, and several other Persons, who declare at the Bar of the House, (and offer'd to the same upon Oath, which was refus'd) That the said Mr. *Baron Page*, being in the Town-Hall, propos'd a Candidate to them, to represent that Place in Parliament: That, according to the Example of other Boroughs, they stood upon Terms; such as the having their Streets pav'd, an Augmentation made to their Vicarage, and a School-House built; the Charge of all which Items was estimated at 5 or 600 *l*. —That the worthy *Baron*, in his Reply, pleaded his *Services* to the Town, in obtaining for it a *new Charter*, which had stood him in 6 or 700 *l*; and, in Lieu of complying with the Demands of the Corporation, offer'd them a Release: That he afterwards sign'd the said Release: and, over and above, offer'd them *one Hundred Pounds*, and by Degrees came up to *Two*.

But tho' this infamous Traffick for the Liberties of the Nation, was thus notoriously prov'd, instead of exciting the  
Indignation

Indignation of the House, and producing such Resolutions as might vindicate their own Honour, and put a Stop to such infamous Practices for the Time to come, the Question was only put, whether Sir *John Cope* had made good his Charge, which was carry'd in the NEGATIVE.

*March 7*, The Court-Business being all dispatch'd, and the Speaker having made a flattering Harangue, as *usual*, his Majesty put an End to the Session with a Speech, in which he thanks both Houses for their *steady* and *resolute* Adherence to his Person and Government; launches out, with great Bitterness against the wicked Arts of *Calumny* and *Defamation*, which have been the constant *Prelude* to *Public Troubles* and Disorders, then practis'd with the greatest Industry, by the *Enemies* of our *happy Constitution*; declares his *Determination* to *continue* to *countenance* such as have manifested their Zeal, for the present *happy Establishment*; and concludes with strongly recommending THEM to the Good-will of all that are *well affected* to his Government, &c.

But, notwithstanding his Majesty's *Certificate* of the good Behaviour of this Parliament, the Cities of *London* and *Westminster*, with Bells, Bonfires, Illuminations, and every

other Demonstration of Public Joy, celebrated the Day of their Dissolution, as if it had been a Day of *Deliverance* from their *worst Enemies*.

The Writs for the new Parliament were returnable *May 10*, and Two Days before, the Lord *Townshend*, Secretary of State, by his Majesty's Command, sent a Letter to the Lord-Mayor of *London*, acquainting him, That his Majesty had received repeated and unquestionable Advices, that several of his Subjects had enter'd into a wicked Conspiracy, in Concert with several Traitors abroad, for raising a Rebellion in Favour of a *Popish Pretender*. But that the Authors neither were, nor would be *countenanced* by any *foreign Power*, &c.

By way of Reply to this extraordinary Epistle, the Lord-Mayor and his Brethren, offer'd up an Address, abounding with Court-Incense, and their loyal Example was follow'd by many other Places.

But, not to depend too much on the Professions of the People, a Camp was form'd in *Hyde-Park*, Six Regiments were landed here from *Ireland*, and his Majesty was induc'd to make a *Royal Progress*, on the Pretence of assembling and reviewing his Forces upon *Salisbury-Plain*.

I have

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I have already observ'd, That Public Rejoicings were made for the Dissolution of the late Parliament, whence it may be gather'd, that if the People were really as *free*, as they are said to be, they would scarce have return'd another of the same Complection; that is to say, compos'd, for the General, of *known Vassals* to the Court, instead of Friends and Servants of the Public: Such, however, was the Matter of Fact, and that it would be so, was, no Doubt, very clearly foreseen: For if there had been the least Hazard, 'tis not to be suppos'd, That those who were hardy enough to turn a *Triennial* into a *Septennial Parliament*, by their own Authority, would have given the People a Chance to do themselves Justice.

The Point, however, was so strongly contested, that within the Space of Twelve Days, no less than Ninety Nine Petitions were presented, on Account of undue Elections and Returns: How they were Determin'd, may be guess'd from the Case of Mr. *Hutcheson*, before quoted.

October the 9th, his Majesty open'd the first Session of the Se- 1722.  
cond *Septennial* Parliament, with a *Gracious* Speech, which was *embellish'd* with the Horrors that *might* have attended the late



Conspiracy, and the *Benefits* of his own Reign; and for *Essentials*, demanded farther Provisions for the Common Safety; by which was to be understood, *more Men* and *more Money*.

To suspend the *Habeas-Corpus* Act for a Year, was the first Fruits of the very first Day's Session, even before the *usual* Address of Thanks, &c. was taken Care of; a Bill, *ready drawn*, for answering which blessed End, was introduc'd into the House of Lords by the Duke of *Grafton*; and pass'd thro' all the Forms with a Hurry and Precipitation, that nothing short of an actual Rebellion, or Invasion, could have excus'd.

On the 15th, this *arreadful* Bill was sent down to the Commons; where, being espoused by Messieurs *Walpole*, *Pulteney*, (again drawing in the same Team) *Pelham*, and *Yonge*, it was likewise carry'd by 246 Voices against 193; and on the 17th it received the \* Royal Assent.

Their next loyal Step was to augment the Army with 4000 Men, which was

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\* It is remarkable, that the Preamble to this Bill, supposes the Danger arising to the King and Kingdom, from the Conspiracy to be *present*; whereas in the Speech it is represented to be *over*; his Majesty having *already seiz'd* some of the *Conspirators*, and order'd *Endeavours to be us'd for apprehending others*.

agreed

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agreed to by a Majority of 72 ; and, because it was not held adviseable to lay above 2 s. in the Pound upon Land, 5 s. in the Pound upon *Papists* and *Non-jurors* was recommended by Mr. *Robert Walpole*, as a proper Expedient to make up the Deficiency of the Year ; and finally agreed upon by a Majority of 46.

As to the Conspiracy, which was set forth in such terrible Colours, it was of such a Nature, as seems to have brought all Plotting into Disgrace ever since : Hear-says of Hear-says, reported by a *hired Informer*, who, before the Affair came to an Issue, either destroy'd himself, or was destroy'd \*\*\*\*\* ; a *Harlequin Dog*, Letters intercepted, about the Lord knows what, to the Lord knows who ; and those put to the Torture by *Decyphers*, and made to confess whatever the M——rs pleas'd, appearing to have been the \* only Support of it ; but one † insignificant Creature (*Laver*) of all those said to be concern'd in it, proving to be within the Reach of the Law ; and, against him, even his own extorted Confession was forc'd to be brought in Evidence ; info-

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\* See the Speeches of Mr. *Kelly*, Sir *Constantine Phipps*, and the Bishop of *Rocheſter*.

† Whose Tryal was not printed, till first mov'd for, by the opposing Lords in Parliament.

much, that, in order to convict him capitally, there seems to be abundantly more Cause; to suspect those in Power of *conspiring* against the *People*, than the *People* of conspiring against the King: And yet, on such Pretences as these, the Liberty of the Subject was, for a whole Year, left at the Discretion of the Prince: Several noble † Lords were committed to the *Tower*; and Bills of *Pains* and *Penalties*, those desperate *Devices*, which can never be excus'd, but by the most desperate Necessities, were brought into play; a Bishop and a Lord of Parliament, after having undergone unprecedented Insults and Severities, was deprived and driven into Exile; a sort of Persecution was let loose against the \* *Papists*, and an *unnecessary* Supplement was made to the Standing Army: Every one of which astonishing Particulars, tho' apparently the Contrivance of a bold, wicked, corrupt

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† As was likewise Dr. *Freind*, a Member of the House of Commons; which being severely animadverted upon by Mr. *Shippen*, Mr. *Walpole* first reply'd, with much Warmth; and then Mr. *Pulteney* (towards the End of the Session made *Conferrer*) added, *That it was usual in all Conspiracies, for one Traitor to endeavour to excuse another.*

\* For, over and above the 5 s. in the Pound, they were saddled with by another Act, all Persons were oblig'd to take the Oaths, or register their Estates: By way of *Reprisals*, for which Severities, as it may be presum'd, a Persecution was commenc'd, soon after, against the *new Converts* in France.

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Minister, had the Sanction of the second Septennial Parliament, at the first Entrance upon their Trust; when they had scarce the Merit of any one popular Act to qualify this submissive Conduct of theirs; except the Censure they pass'd on the *Harburgb* Lottery, (a Bubble, which had been set on Foot under *Hanover*-Authority; the Pretence, to clear the River *Elbe*, the Design to plunder the Public) and the burning the *PRETENDER'S Declaration*.

The King's, or rather the *Minister's* Enemies, being now sufficiently humbled, and the whole Kingdom, by the Suspension of the *Habeas-Corpus* Act, entirely at the Mercy of the said Minister and his Legions, his Majesty was pleas'd to make another Visit to his *Hanover* Dominions, *June* 3, from whence he did not return till the 28th of *December* following.

*January* 9, the second Session of 1723-4.  
the second Septennial Parliament, was open'd with a Speech, which began with the Laud and Praise of our present *happy* Situation, both at Home and Abroad; hinted a Hope, That the *few Examples*, lately made, would deter the most *Disaffected* for the future; signified, That the *AUGMENTATION* of the *National Forces*, had not only *secured* our domestic Quiet, but

but contributed to the *Preservation* of the Peace of *Europe*; demanded Supplies; recommended the *Discharge* of the *Public Debt*, as a Work truly worthy a *British* Parliament; and declar'd, That it was the *vainest of all Delusions* to *imagine* we have any *Chance of any good Thing*, but by *SUPPORTING* the *present Establishment*, and *MAINTAINING* the *Protestant Succession*.

To this most gracious Speech, no Objection appears to have been made in either House; Addresses of Thanks were voted *Nem. Con.* and, if they had been dictated by the very Person who made the Speech, they could not have been more of a Piece with it.

A Motion to continue the same Number of Forces, which had been so delicately recommended in the King's Speech, produced the only memorable Debate, that is recorded of this Session, in which *Mr. Walpole* appear'd at the Head of the Court-Advocates, and *Mr. Pulteney* brought up the Rear; and, under the Conduct of two such able Generals, 'tis scarce a Wonder, that this Favourite-Point was carry'd by a Majority of 140.

A Land-Tax, like the Army, was become a Thing of *Course*; and so Two Shillings in the Pound was admitted without any Opposition: But when a Petition was  
pre-

presented, for Relief to certain Persons who had been Sufferers in a *Bubble*, for promoting a Trade to the *Bahama* Islands, the *Skreen* was once more *spread*, and three *Members*, who had been *Managers* of that Project, had the *Benefit* of it.

Again, when the plausible Head in the King's Speech, relating to the National Debt, was under Consideration, our State-Projectors introduc'd a Scheme to convert the *Customs* upon *Coffee*, *Tea*, and *Chocolate*, into an *Excise*; under the specious Title of an *Inland Duty*, which, being likewise a Court-Point, was submitted to, with all the Complaisance imaginable.

In short, the *Malt* and *Mutiny*-Bills, and every other Matter, Clause and Circumstance, that the Minister or his Partisans took a Fancy to, was comply'd with: So that by the 24th of *April*, the Business of the Session was at an End, and the King dismiss'd both Houses with a *gracious* Speech; expressing his *great Satisfaction* with their *continuing* the like National Force by Sea and Land this Year, as they had done the last, as being a wise Provision for the Support of *Public Credit*; and assures *himself*, that they will discountenance any *Remains* there may be yet left of Sedition or Disaffection, &c.

No-

Nothing remarkable happen'd between the Sessions, except that the King did *not* visit his *Hanover* Dominions, and that his Excellency *Horatio Walpole*, Esq; was appointed Embassador and Plenipotentiary to the Court of *France*.

*November 12*, His Majesty open'd <sup>1724.</sup> the Third Session with a *gracious* Speech; in which he again declar'd, That we were at *Peace abroad*, and *happy at home*: Recommended, notwithstanding, the *same* *Provision* by Sea and Land, the *same* Attention to the *Improvement* of the *Revenue*, and the Discharge of the Debt, *ready Concurrence* in *raising* the *Supplies*, &c.

But, tho' an unanimous Address of Thanks was return'd, when the *Standing Army* came to be debated, a Spirit of \* Opposition shew'd itself again, and in particular *Mr. Shippen* was pleas'd to express himself as follows:

“ If I may be permitted to consider the King's Speech, as the Composition of his

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\* *Mr. Snell*, upon this Occasion, likewise acquainted the House with an Insult offered to certain Country People in the West, by a Party of Dragoons; as likewise of an Officer's silencing the City-Drums in *Gloucester*, on Pretence, *That none but the King's Drums had a Right to beat in the GARRISON.*

Ministers,

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Ministers, which tho' I know by Experience to be a more dangerous, is yet a more Parliamentary Way, than to consider it as an Edict from the Throne; I will observe, that it does not ask the Opinion and Advice of the Commons, how far they will use their great, essential, and undisputed Right of raising Money; but it positively prescribes the exact Provision we are to make, both by Sea and Land, for the Service of the ensuing Year; and, whether that be not a new Method of speaking to Parliaments, is, with all Deference, submitted to the Wisdom of this House, which is the best Judge of its own Privileges and Power.

" Surely, Sir, it is very melancholy to hear one Session after another, that, tho' we are in a State of Tranquility, as the Language is, yet we can neither be secure at home, nor respected abroad, without continuing above Eighteen Thousand Land-Forces in Pay.

" This Way of Reasoning entirely misrepresents our Circumstances and Condition: For it would suggest, that we cannot enjoy the Blessings of a good Reign, without enduring, at the same time, the Hardships of a bad one, which is a Contradiction in it self, and inconsistent with the Notions we,

as



as *Englishmen*, must ever entertain of our legal Liberties; in Maintenance of which our Predecessors in Parliament, thought fit to alter the Lineal Succession of our Royal Family.

“ Now, all Rebellions, all Conspiracies, seem to be totally extinguished, not more by the late seasonable Exertion of Parliamentary Justice, than by the wise and prudent Conduct of those in the Administration: They have so carefully reviewed and modelled the Forces this Summer in every Part of the Nation, that, we are to hope, there are not left even so many, as three or four Serjeants and Corporals, who shall have Fool-hardiness enough to undertake again to draw the whole Army into wild and chimerical Attempts: They have freed the Church from all Apprehensions of Danger, by promoting only the most orthodox and learned Part of the Clergy to the Episcopal Dignity, and other Ecclesiastical Preferments: They have preserved the State, by advancing only Men of distinguished Ability and Experience to all great Offices and Civil Employments: They have, which is above all, reconciled their own Animosities, and have no other Contentions now, but who shall best serve his Majesty and the Public, without any Views  
of

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of accumulating immense Wealth to themselves, or of aggrandizing their own private Families. Such an Administration can never need the Assistance and Protection of above Eighteen Thousand disciplin'd Troops. Such an Administration should not suffer the Army to run away with the Reputation of their good and great Works; or to assume the Glory of raising our Credit, enlarging our Trade, and establishing our present Prosperity.

“ Now I can never be so unjust to his Majesty's most mild and gracious Government, as to ascribe our present Tranquility to the Continuance of an extraordinary Number of Troops, any more, than I can believe, it would cease at the Reduction of Part of them. This would be a dangerous, as well as an absurd Doctrine, with relation to us at Home: For, should it be admitted, that above Eighteen Thousand Land Forces have not only procured our present Tranquility, but that they are absolutely necessary to the Security of the Kingdom; then it will follow, that the same Number will always be absolutely necessary; that a military Power is the most pacific Form of Government; and that an Army will be a better Preserver of Peace and Plenty, a better Guardian of our  
Civil

Civil and Religious Rights, than the Law of the Land," &c.

The Question in Parliament, like *Alexander's* Sword, cuts the *Gordian* Knot, which can no otherwise be loos'd ; and thus Mr. *Skippen* was confuted by 206 Voices against 69.

Of the Affair of the *Masters* in *Chancery*, and the Prosecution stirr'd up against the Lord Chancellor *Macclesfield* this Session, I shall say no more, than, That the Court espoused it with a Zeal which it had never testify'd before against any *Public Criminal*, except the unhappy Persons engag'd in the *Rebellion*, and the *Ministers* employ'd by the late Queen ; That most of the Managers against his Lordship, had the good Luck, not only to obtain the Thanks of the House, but the *Favours* of the *Crown* ; and That a Bill was pass'd to \* INDEMNIFY the *Masters* who had purchas'd Places of him, on their appearing as *Evidences* against him.

With regard to the Supply, it was made good by those Ways and Means which were now become the *Ordinary* of the Year, the *Land Tax*, *Malt* Bill, &c.

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\* *Note*, When the *late Enquiry* was on Foot against *Robert Walpole* Earl of *Orford*, a Bill of the like Nature was overrul'd.

And

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And as to the EXTRAORDINARY, tho' his Majesty had so very lately, procur'd his Civil List-Debt to be plac'd to the Account of the People, and had *promis'd to retrench* for the future, another Message was now deliver'd to the House, importing, *That his Majesty FOUND any considerable Retrenchments IMPRACTICABLE*; that he had engag'd in some *extraordinary* Expences, &c. and that he hoped he might be enabled to discharge the present Debts, contracted in his Civil Government.

These Debts amounted to \* 508,367 l. and *odd Things*, as they are stiled by the fine *City-Lady* in the *Comedy*.

But tho', upon this Occasion, we find the great † Mr. *Pulteney* once more at Variance with the *Minister*, and warmly

Here beginneth  
the Opposition  
of *William*  
*Pulteney*, Esq;

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\* And in the Debate, tho' not in the Account, some Part of them was said to be owing to the *Congress* at *Cambray*.

† During the Warmth of the Debate, the following tender Particulars escap'd.

Mr. *Pulteney*. 'Tho' I wonder so great a Debt can be contracted in Three Years Time, I am not surpriz'd, that some Persons are so eager to have the Deficiencies of the Civil List made good, since they and their Friends have so great a Share in it.'

Mr. *Walpole*. 'Upon Examination of the Account given in of the Civil-List Debts, it will appear, that most of the

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contending for † Accounts, &c. we find his Majesty's Demand comply'd with (upon a Division of 239 against 119) and that, after such a Manner, as gave Rise to the following severe Protest,

“ Because this Bill is to raise a great Sum of Money, which will, as we apprehend, become a Burthen to the Public, and encrease that immense Load of Debt, which is already above Fifty Millions ; and, therefore, in our Opinion, requires the utmost Application to diminish it, and cannot but give us the most melancholy Prospect, whenever, especially in a Time of Peace

‘ Expences were either for the necessary Support of the Dignity of the Crown and Government, or for the *Public Good*. There is, indeed, a Pension of 5000 *l. per Ann.* of another Nature, viz. upon Account of the *Cofferer's Place*, which could not well be avoided ; for both the Lord *Godolphin*, who had the Office, had deserved so well of the Government, that they could not handsomely remove him without a Gratuity ; and therefore a Pension of 5000 *l. per Ann.* was given him to make room for the worthy Gentleman (Mr. *Pulteney*) who now enjoys that Post

‡ At the very latter End of this Session these Accounts were obtain'd ; and by them it appear'd, that in Four Years Time there had been issued for the *Privy Purse, Secret Service, Pensions, Bounties, and Money without Account*, the Sum of 2,728,759 *l.* And when an Attempt was made in the next Session to take this extraordinary Affair into Consideration, it was over-rul'd by the Order of the House, That no Paper deliver'd in a former Session could be proceeded upon afterwards.

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and Tranquility, we find any Addition is made to it ; and since his Majesty's Revenue, when first settled, was thought sufficient by the Parliament, to answer all the necessary Expences of his Civil Government, and is *larger*, as we conceive, than that of his Predecessors: And since that Revenue has once already, and not long ago, received an Aid of the like Sum, we think we are fully justify'd in expecting an Account of the Reasons of contracting so great a Debt ; and because that was *refus'd* to be laid before us, we are of Opinion we cannot discharge our Duty to our Country, if we should thus *uninform'd*, and in the *Dark*, give our Consent to this Bill ; which being the Second of this kind, within a short Compass of Time, we apprehend may prove of more pernicious Example."

The last *Extraordinary* of this Session, which I shall take Notice of (for I will not insist on that for *Disarming the Higblands*) was a \* Bill for *regulating Elections* within the City of *London* ; which we are to suppose took its rise from a Petition of *many* Citizens of the said City, *setting forth several Grievances, and praying Relief* : But, un-

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\* By this Bill the Famous *Negative* upon the Common-Council was given to the *Lord Mayor* and *Aldermen*.

luckily, the Citizens of *London* first oppos'd this Bill at the Bar of the House of Commons, and afterwards follow'd it with a Petition to the Lords ; in which they set forth their Apprehensions, That the said Bill not only affected the *Rights* and *Privileges* of the *Freemen* in particular, but the *Government* of the *City* in general, which they endeavour'd to make out in several Particulars ; which had so much Weight with the *opposing* Lords at least, That a Motion was made to ask the Opinion of the *Judges*, whether This does *repeal* any of the *Prescriptions*, *Privileges*, &c. of the said City of *London*, *restor'd* to them, or *preserv'd* by the Act, 2d *W. and M.* for reversing the Judgment in a *Quo Warranto* against the said City ; which passing in the Negative, drew on a Protest ; in which it is declar'd, That there is room to apprehend, that the Alterations made in this Bill, in the Constitution of the *Common-Council*, &c. may utterly abolish the *antient legal Title* of the *City to their Rights*, &c. and that the Opinion of the *Judges* was held the more necessary, because no *Saving* was to be found in the Bill, or *Confirmation* of the *antient Titles*, &c. *restored* by the *former Law*.

Upon the Passing the Bill, another warm Protest was entered, which it is needless

to repeat ; enough having been already said to explain a Law which was calculated to serve so many *ministerial* Ends, under so *popular* a Title.

May 31, the King clos'd the Session with a Speech of Acknowledgments for the *Supply*, the Aid to the *Civil List*, *Disarming* the *Highlands*, &c. having, just before, no doubt, for wise Ends and Purposes, reviv'd the Order of the *Bath*; and, June 3, embark'd for HANOVER, where the celebrated Treaty distinguish'd by that important Name, was sign'd, Sept. 3, having been first manufactur'd at *Paris*, by that renown'd Politician *Horatio Walpole*, Esq;

Jan. 3. The King landed at *Rye*, 1725-6. from *Hanover*, and the 20th following open'd the Session with a most gracious Speech, signifying, That the *distressed Condition* of some of our \* *Protestant Brethren* abroad, and the *Engagements* enter'd into, by some *foreign Powers* (which seem'd to have laid the *Foundation* of new *Troubles*, and to threaten his *Subjects* with the Loss of several Branches of their *Trade*) had oblig'd him to enter into a defensive

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\* Those of *Thorn*, that is to say, not of *France*.



Alliance (that of † *Hanover* above-mentioned) with the most *Christian* King and *Prussia*, which, together with *their* Support, he trusted in God, would enable him to preserve *the Peace and Balance of Europe* : He then hinted, That no greater Number of Forces would be necessary this Year than the last ; prepared them, however to expect a Demand for an *Augmentation* by Sea ; bestow'd a Paragraph on the *Hopes* of the *Disaffected*, now renew'd ; and concluded all in the following ambidexter manner :

‘ When the World shall see that you will  
 ‘ not suffer the *British Crown and Nation*  
 ‘ to be *menac'd* and *insulted*, those, who  
 ‘ most *envy* the *present Happiness and Tran-*  
 ‘ *quility* of this Kingdom, and are *endea-*  
 ‘ *vouring* to make us *subservient* to their  
 ‘ *Ambition*, will consider their *own Interest*  
 ‘ and *Circumstances*, before they make any  
 ‘ Attempt upon so *brave a People, strength-*  
 ‘ *ened* and *supported* by *prudent* and *power-*  
 ‘ *ful* Alliances, and tho’ *desirous* to *preserve*  
 ‘ the *Peace*, *able* and *ready* to defend them-

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† To which the States-General were also invited to accede ; but declined it for some time, and did not comply at last, without many Restrictions ; which gave the Hint to the King of *Prussia* to declare off likewise.

\* selves against the Efforts of all *Aggressors*.  
 \* Such Resolutions, and such Measures,  
 \* *timely* taken, I am satisfy'd, are the most  
 \* effectual Means of *preventing a War*, and  
 \* *continuing* to us the *Blessings* of Peace and  
 \* *Prosperity*.'

The general Calm, which we had been more than once complimented upon, from the Throne, being now apparently at an End, and the Approaches of a Storm as apparently to be fear'd, it may perhaps be necessary to bestow a few Paragraphs on our *Foreign Affairs*, that our *Domestic* may be the better understood.

We had been told, in his Majesty's most gracious Speech, at the Opening of the Session in 1721, *That nothing more than the FORMS of a CONGRESS were wanting to establish the Public Tranquility*; and yet that *Congress* prov'd to be a Matter of *Form* only; as, no doubt, was then foreseen: For on the one Hand, we disoblig'd the Emperor, by entering into a \* Secret Treaty  
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\* To be found in *Rouffet*, Tom. IV. p. 101. It is defensive, and specifies the Number of Troops to be furnish'd by each of the Contracting Parties. There was likewise a Secret Article, if a Paper publish'd by the Imperial Ministers at *Ratisbon* is to be depended upon; by which it was agreed, That the Troops to be introduc'd into *Tuscany*, instead of  
*Neutral*,

with *Spain*, while we yet acted as Mediators, jointly with *France*; and by refusing the sole Mediation (which we had been courted to accept of) and the Non-performance of our Engagement, to deliver up *Gibraltar*, we disoblig'd *Spain* as much on the other: The sending back the *Infanta* likewise, incens'd the last of those Powers to the full as much against *France*, as the Blow in the *Mediterranean*, &c. had, till then, incens'd her against us: And there was still another Circumstance which, perhaps, help'd on the Broil between the *Imperial* and *British* Courts yet more than all the rest; I mean the Investitures of *Bremen* and *Verden*, which had been requir'd by *Hanover*, in a greater Latitude, than had ever been granted before, or could be legally comply'd with now; but which, we have been told \* would have been ventur'd upon notwithstanding, if we would have paid the exorbitant Fees demanded for that Service.

Both their Imperial and Catholic Maje-

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*Neutral*, were to be *Spanish*. Another Treaty was sign'd the same Day, by which, among other Articles, we oblig'd ourselves to restore the Ships taken in the *Mediterranean*, or the Value of them.

\* First by Sir R—— W—— in Parliament; and afterwards by Mr. *Arnal* in one of his *Free-Britons*; who was likewise so good as to inform us, That the Sum demanded, was a *Million Sterling*.

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ties being thus at Variance with their ancient and natural Allies, thought it their Interest to be reconcil'd as fast as possible to each other; and this was accordingly done by the Treaty of *Vienna*, which put an End to the Farce of Mediation, carry'd on under the Title of, *The Congress at Cambray*.

Now this said Treaty of *Vienna* was expressly founded on the Treaty of *London* of 1720, and contain'd no more than mutual Renuntiatiions, *viz.* of *Spain* by the Emperor, and of the hereditary Dominions of *Austria* by his *Catholic Majesty*; and likewise such other Dispositions of certain Dominions in *Italy*, &c. as might prevent any future Misunderstandings between the Contracting Parties, &c. It wore, therefore, as innocent a Face as ever Treaty did; and to the People of *England* at least, afforded rather Matter of Satisfaction, than Complaint.

But the *Ways* of Ministers are not as *our Ways*, nor their *Reasonings* like our *Reasonings*.

We therefore find the most profound Mr. *Horatio Walpole*, with the Title of Excellency, sent to *Paris*, as before-mention'd, and a Counter-Alliance form'd, since become famous, under the Stile and Title of the *Treaty of Hanover*. It was of this Alliance

liance his Majesty was pleas'd to say such great Things in his Speech ; with what Reason, will best be understood, when my Readers recollect, That, except the Words *Trade* and *Guaranty*, which occur in the 2d Article, and that *tinkling Cymbal*, THE BALANCE OF EUROPE, which jingles in the 4th, there is not a single *Item* in the whole Treaty that, to a common Eye, seems relative to the Interest of *England* ; but more especially, when they read the Fifth Article, which follows entire, and for which I think it is pretty manifest, the whole Transaction took place.

‘ As his most *Christian Majesty*, who, in  
 ‘ Quality of Guarantee of the Treaties of  
 ‘ *Westphalia*, is particularly interested in the  
 ‘ Preservation of the Rights and Privileges  
 ‘ of the *German* Body, and their BRI-  
 ‘ TANNIC and *Prussian* Majesties, behold,  
 ‘ with Regret, the Seeds of Discord that  
 ‘ are sowing, and hear, with Grief, such  
 ‘ Complaints as may at length break out,  
 ‘ and occasion a War, whose terrible Con-  
 ‘ sequences would inevitably affect all *Eu-*  
 ‘ *rope* ; their said Majesties, always *attentive*  
 ‘ to what might one Day or other disturb  
 ‘ the Tranquility of the EMPIRE in PAR-  
 ‘ TICULAR, and that of *Europe* in *general*,  
 ‘ promise and engage mutually to assist each  
 ‘ other,

‘ other, for the *defending and preserving the*  
‘ *above-mentioned Treaties*, and other Acts,  
‘ which by their Determinations upon the  
‘ *Affairs of the Empire*, are look’d on as  
‘ the Basis and Foundation of the Tranqui-  
‘ lity of the *German Body*, and the Support  
‘ of its Rights, Privileges, and Immunities,  
‘ for the MAINTENANCE OF WHICH their  
‘ said Majesties are truly desirous of making  
‘ a fix’d and solid PROVISION.’

But to prove undeniably, that this Treaty was calculated for the Meridian of that Place only, from whence it takes its Name; I will here insert the Reflections made upon it at *Vienna*, as they were transmitted by the Imperial Court to Baron *Kirchner* the Imperial Commissary at *Ratisbon*.

1. “ This Treaty was made and concluded in the Empire, by two Electors and Princes of the Empire, with a Foreign Power, against his Imperial Majesty’s and the Empire’s Peace with *Spain*.

2. “ It is contrary in *Formalibus & Materialibus*, both in Matter and Form, to the solemn Oath of Investiture, and the Duty of a Member of the Empire.

3. “ It is likewise contrary to the Peace of *Westphalia*, Art. 8. *Seçt.* 2. and to the Tenour of the 10th Article of the Capitulation

tion made with the Emperor *Joseph*, and the 6th of that made with the present Emperor, at their Elections. And for the same Reason it is contrary to the *Señ. Gaudeant, &c.* And more particularly, for that

4. " In the 2d Article of this Treaty, the Contractors have mutually engaged to give their general Guaranty to each other, for all Countries and Towns which they have and possess, as also for all their Rights, Privileges and Advantages. By which Means, Justice, and the Administration which is put into the Hands of his Imperial Majesty, according to the Capitulation at his Election, and the Laws of the Empire, have no farther Place or Consideration with these Contracting Parties. And therefore all and singular, whose Countries and People have been forcibly and unjustly seized by the aforesaid two Kings of *England* and *Prussia*, as Electors and Princes of the Empire, or who still are at Law with them, for their rightful Demands, can never more obtain any Right; and, therefore, with respect to these two Members of the Empire, all Right and Justice in the said Empire is wholly destroyed, and consequently they may act and do according to their own Will and Pleasure with every one, and even with his Imperial Majesty. With this View it is

5. " Sti-

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5. " Stipulated in the 3d Article of the Treaty, what Assistance in Men or Money one Ally is to send to the other, when any one of them is disturbed in the *present Possession* of all Countries and Rights, without specifying whether *justly* or *unjustly* possessed.

6. " As this Article has broke thro' that Bond which, according to the Laws of the Empire, ought to last for ever between his Imperial Majesty, as supreme Head of the Empire, and the Members thereof, as likewise between the said Members one with another ; and, as was said before in the 3d Article, is made so contrary to those solemn Oaths of Fidelity, which the Kings of *England* and *Prussia*, as Electors and Princes of the Empire, swore openly with a loud Voice before the Imperial Throne, and in the Presence of the All-knowing and Almighty God, to his Imperial Majesty, and to the Holy Roman Empire, at their Investiture,

7. " So it is farther specify'd in the 2d separate Article, That, in case the Empire should, out of Hatred to their Treaty, and the Assistances therein promised, declare War against the Crown of *France*, neither *Brandenbourg* nor *Brunswick* would then furnish, for such War, the Contingent they ought to send to the Empire and the Circle;



cle; but would, on the contrary, do every Thing in Conjunction with *France*, till Peace should be restored: Which dissolves the whole Bond of the Empire, and rejects all Dependence and Obedience with respect to his Imperial Majesty and the Empire.

8. " This is not only an actual Separation from the whole Empire, and an Union with those, who in such Case are declared Enemies of the Empire; both which are manifest Contraventions to the Peace of the Country, and to the other fundamental Laws of the Empire, which have been sworn to, and which subject the Transgressors to the Penalties therein mentioned:

9. " But also in the 3d separate Article likewise, the following Words are contained, among others, That in Case, on the Part of the Empire, a Resolution should be taken in Manner as is mentioned in that Article, to the Prejudice of the Kings of *Great Britain* and *Prussia*, the Crown of *France* should openly take their Part, till the Trouble, Injury and Offence, should wholly cease: By this Means, the Recourse of the Joint States to his Imperial Majesty, and to the supreme Judicatories of the Empire, is entirely put an End to, with respect to the Contracting Members of the Empire; and consequently all Right, Assistance  
and

## *Parliaments of England.* 287

and Protection, together with all Jurisdiction and Power of Judging; 2. Likewise the Peace of the Country is at an End; 3. And the bringing in of Foreign Troops, which is not allowed, even to the Emperor himself, according to the Capitulation at the Election: On the contrary, 4. These said Contracting Parties may, at any Time, according to their own Will and Pleasure, seize by Force, the Rights they have, or pretend to have, and secure them by Foreign Nations against the Majesty of the Emperor, against the supreme Judge and Lord, and against their Fellow-States.

10. "In this Manner, every one may see, that a formal Offensive and Defensive Alliance has been concluded against his Imperial Majesty, and the *Roman Empire*; which, as has been said before, is contrary to all the Oaths, and to the Duty of a Member of the Empire, and consequently cannot pass without great Disturbance in the Empire, and likewise without the Danger, Damage and Oppression of all the Rights and Justice belonging to the States thereof, with their Countries and People: And, therefore, to omit many other Things for the Love of Brevity, nothing remains to be done, or is more adviseable than to oppose it honestly, like Patriots, with his  
Impe-

Imperial Majesty, and not to accede to such a Treaty, and to the other dangerous and precipitate Views concealed therein; but rather to contribute in Time, all that is possible, towards maintaining the public Tranquility in the Empire, and in all Christendom."

And now to account for the Insertion of the Word *Trade*, both in the said Treaty and his Majesty's Speech, it is proper, likewise, to remind the Reader, That the Emperor had furnish'd the *Handle*, by making Use of his *own Sovereign Power*, to set up an *East-India Company at Ostend*; and signing a Treaty of Commerce with *Spain*; by which his Subjects were admitted, by his Catholic Majesty, to a Share of all the *Privileges*, allow'd to the *most favour'd Nations*; that is to say, the *Dutch and English*.

There are *yet* several curious Particulars to be touch'd upon, with relation to these Counter-Alliances of *Vienna and Hanover*; but as they belong, more properly, to the Business of the next Session, where they will be explain'd by authentic Papers, it is now Time to return to that immediately before us.

Nothing could flatter the Views of the Court more agreeably, than the Address of the  
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the Commons, which was equally calculated to *intimidate* abroad, and *amuse* at home; the *same Spirit* prevailing in all our Councils; and *applauding* in one Place, what it *dictated* in another.

The Supply was carry'd with as much Facility as the Address; and tho' the *Standing Army* was oppos'd, as usual, by Mr. *Shippen*, and his Associates, (who contend'd, at least for the Reduction of the 4000 Men, rais'd on Account of *Lacy's Plot*) the Court was as *well serv'd* in this Point, as either of the former.

Sir *Robert Walpole*, the reigning Minister, and his former Assistant, Mr. *William Pulteney*, either were, or seem'd to be now, at open Enmity: And, as a Courtier in Disgrace, desires to be receiv'd into the Bosom of the People, we find the last of those Gentlemen, about this Time, moving for a Committee to state the Public Debt, as it stood in 1714, and at Dec. 25, 1725; distinguishing what hath, and what hath not, been provided for by the Parliament: But this being oppos'd by Mr. (now Sir *John*) *Barnard*, as well as the Chancellor of the *Exchequer*, who represented, such a Measure as likely to encrease the \* Alarm of

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\* Stocks, within a few Weeks, had sunk 12 or 14 per Cent.

the money'd Men, Mr. Pulteney took Occasion to declare, *That he made this Motion with no other View, than to give that GREAT MAN (Sir R. W.) an Opportunity to shew his Integrity to the whole World, and thereby finish his sublime Character.* To which Sir R. reply'd, *That this Compliment would have come out with a better Grace, and appeared more sincere, when that FINE GENTLEMAN had himself a Share in the Management of the Public Money, than now he was out of Place.*

Upon the Whole, the Motion was reject-ed by a Majority of 262 against 89.

Hitherto the Parties had only skirmish'd; but when the Treaties, before-mention'd, came under Examination, the Leaders of both assembled their whole Strength, and prepar'd to exert themselves to the utmost. His Excellency Mr. *Horatio Walpole* open'd the Debate with a *Political Medley*, which lasted for an Hour and a Half; and in which he display'd those great Abilities which have render'd him so deservedly famous: In particular, he favour'd us with a Genealogy of all the Treaties which had taken Place since the Accession; and very adroitly grounded the present Troubles on the *Countenance* given by the Court of *Spain* to the *Offend Company*, and the lively Re-  
pre-

*presentations* made thereupon, by his Majesty, both to the Emperor and King of *Spain*; adding, indeed, a little unluckily, That these Complaints had been received at *Madrid* with Coldness; but at *Vienna* with such Stiffness and Haughtiness, that the Imperial Ministers did not stick to insinuate, That if his *Britannic* Majesty persisted in his Resolution to take Measures in Opposition to the Treaties of *Vienna*, his Imperial Majesty would not only hold himself disengag'd from the *Guarantee* of the *Protestant Succession* to the Crown of *Great Britain*, but that the same might be attended with Consequences, in relation to his Majesty's DOMINIONS IN GERMANY.

In the two last Lines, we have the real Clue to the *Treaty of Hanover*; and, accordingly we find Mr. *Skippen*, during this very Debate, urging, in Opposition to it, That it would probably engage the *British* Nation in a War, for the Defence of his Majesty's GERMAN DOMINIONS, contrary to an express Provision made for the securing our Religion, Laws, and Liberties in the *Act of Limitation*; which being the BASIS of the present *Settlement*, was become Part of our *Constitution*, and therefore ought to be sacred and inviolable.

BUT, if Mr. *Shippen* had the Honour to enforce this Clause of the *Act of Settlement*, in behalf of his Country, Mr. *H. Pelham* had the Merit to explain it away; by insisting, that the said Clause was not *wholly* and *for ever* to deprive his Majesty's *foreign Dominions* of any Assistance from this Nation, &c. He therefore concluded with a *lumping* Motion, to approve every Thing which our Ministers had done, *and to stand by and support his Majesty against all Insults and Attacks that any Prince or Power, in Resentment of the just Measures which his Majesty has so wisely taken, shall make upon ANY of his Majesty's Territories or Dominions, tho' NOT belonging to the Crown of GREAT BRITAIN*; which, after some farther Debate, wherein the Lord *Finch*, (now Earl of *Winchelsea*) was pleas'd to insinuate, That Providence bestow'd the *British* Throne upon his Majesty, as a Reward for the PIETY of his Ancestors, was carry'd by 285 Voices against 107.

So much for the *Act of Settlement*; which, tho' binding to the People, was, it seems, to be no Restraint upon the Prince.

No Body, I believe, will wonder that, after we had thus formally adopted the  
Hano-

*Hanover-Dominions*,\* a *Vote of Credit* should be demanded for their Security : But, who can help wondering, that those very † Persons, who, when *out of Power*, oppos'd the Grant of 250,000 *l.* on Account of the Dangers apprehended from *Sweden*, should now, not only advise a *Message* of a like Nature, but, by that shameful Method of the *previous Question*, over-rule Mr. *Shippen's* Motion for an Account of the Disposition of the said Money; which, tho' promis'd, had never yet been comply'd with?

Such a *Message*, however, came, but disguis'd under the plausible Pretences of *Trade* and *Navigation*, and the *particular Interest* of this Nation; and was comply'd with by a Majority of 270 Votes against 89.

The rest of the Session produc'd nothing material, except that precious *Jab*, the *Pot-Act*, a Bill for the more effectual preventing of *Bribery* and *Corruption*, (which was suf-

\* By way of Answer to the King's *Message* on this Head, an Address was voted by 270 against 89, That he will be pleas'd to make such an Addition to the Number of Seamen, as his Majesty shall, in his great Wisdom, think will best conduce to the Service of the TRADE and NAVIGATION of this Kingdom, and to the Preservation of the PEACE of EUROPE, and to assure him, that this House will effectually provide for, and make good ALL such Expences and Engagements as shall be made for obtaining these great and desirable Ends.

† The *Walpoles*, &c.



fer'd to pass the *Commons*, whom it more immediately concern'd, that it might be wreck'd elsewhere,) and a gracious Speech from the Throne, full fraught with Thanks, &c. at the Prorogation.

This Summer was remarkable for Three famous Naval Armaments and Expeditions, *viz.* one to the *North*, under Sir *Charles Wager*, to carry a LETTER to the *Czarina*, (Demanding her Reasons for equipping her Fleet; and suggesting, that she was in a Confederacy with the *Pretender*; who in her † Answer laugh'd at the Infi-

† One Paragraph of which Answer is conceiv'd in the following Terms :

These Circumstances cannot induce us to believe, That your Majesty's Ministers ever had a serious Intention to conclude that Alliance (with *France* and *Russia*;) but rather, that the sending a Squadron of Men of War, together with Orders, thro' which it is easy to see an Interruption of Amity, and the Rise of new Troubles in the *North*, is but the Consequence and Result of the *Animosity*, which some of your Ministers have shewn publicly every where against us, for so many Years past. The Thing appears evident, from what your Majesty alledges, and charges us with, in relation to the *Pretender*. Your Ministers have rightly understood, that all the Reasons by them suggested, (and which, abstracted from that, do not regard the Interest of Great Britain, but are rather *diametrically opposite* to the solemn Treaties subsisting between *Great Britain* and other Powers) are not to be admitted, and are insufficient to justify their violent Enterprizes to Persons disinterested: And not being able to find out any other Reason, that *frivolous* and *false Accusation* must be trump'd up, and serve, as heretofore, as the *main Pretence* for all the unkind Steps taken against us.

uation,

uation, and hinted, that the *British* Fleet was sent into the *Baltic*, rather to *disturb* the *Peace* of the *North*, than preserve it;) a Second to the Coast of *Spain*, under † Sir *John Jennings*, and a Third under Admiral *Hofier*, to block up the Galleons at *Porto-Bello*.

The Emperor, likewise, this Summer, prohibited the Importation of *English* Wool-lens into the Island of *Sicily*; and that our Merchants did not instantly feel the like Effects of our Court-Measures, both in *Russia* and *Spain*, was no Fault of those *enterprizing Ministers*, who had given both those Powers such sensible Provocations.

Nor were these the only Fruits of the glorious Treaty of *Hanover*, as may be seen by the Two following Pieces; which I chuse to insert entire, that I may not be thought to misrepresent or aggravate Circumstances that cannot be handled too tenderly in one Light, or too severely in another.

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† Upon whom the *Spaniards* fired a few Shot at *St. Antonio*; but on their making an Excuse, the Affront was put up.

*The Memorial presented by M. de St. Saphorin,  
Envoy of his Britannic Majesty, to Count  
Sinzendorff, Great Chancellor of the Impe-  
rial Court.*

S I R,

**Y**OUR Excellency having desired me to give you in Writing, what I deliver'd to you from the King my Master, by Word of Mouth, about a Fortnight ago; I shall do myself the Honour to acquaint you again, That his Majesty is extremely surpriz'd to hear, that a Report has been spread, and very confidently affirm'd by some who belong to the Emperor, That his Majesty had not only caused the *Treaty of Hanover* to be communicated to the *Ottoman Port*, by his Ambassador at *Constantinople*, but that he had also endeavour'd to excite them to enter upon a War with the Emperor; intimating, that the firm League lately form'd against him, gave the Sultan a favourable Opportunity of re-taking *Temeswar* and *Belgrade*.

But his Majesty was much more surpriz'd at being inform'd, that one of his Couriers, in his Return from *Constantinople*, was seiz'd at *Belgrade*, although he publicly wore the Badge of the King's  
Mes-

Messengers, was provided with Letters from the Emperor's Envoy at *Constantinople* for the Prince of *Wirtemberg*, who receiv'd him suitable to his Character; and notwithstanding that he declar'd, that he came with Dispatches for his Majesty and the Ambassador of *France*: and tho', after detaining him Twenty-Eight Days, they, at length, suffer'd him to pursue his Journey, this Permission was attended with such Circumstances as, in every Respect, afforded greater Matter of Complaint, both in Respect of the Manner in which his Serene Highness Prince *Eugene* explain'd himself on this Subject to the Duke of *Richelieu*, and inasmuch as he thought fit to give an Answer only in the Name of Monsieur *Bruckhausen*, to what was urged by the Minister of the King of *Great Britain*; who had, however, apply'd by Letter to his Highness himself; besides that, the Person who brought him the Answer, told him, That tho' they had suffer'd the King's Messenger to pursue his Journey, it was only for this one Time, and because he had brought with him a Letter from Monsieur *Dierling* to the Count of *Wirtemberg*.

As

As the King my Master can look upon this Procedure no otherwise than as a Violation of the Law of Nations, and as a Manner of treating him, never made use of by one Prince to another, who still lived in Amity together, he hopes that his Imperial Majesty will order Satisfaction to be given him in this Matter, as I have positive Commands to require: And he is moreover satisfy'd, that his Imperial Majesty will not refuse doing it in such a Manner, as may equal the Greatness of the Insult which hath been offer'd him; since otherwise it is very visible, that he cannot be persuaded, but that the Report that has been spread of him, as well as the Stopping his Courier, is only the Consequence of a Design, before laid, of coming to an open Rupture with his Majesty, in pursuance of those *Projects* which the Duke of \* *Ripperda* declared to his Ambassador were *form'd against* him, by the *Emperor* and his *Catholic Majesty*.

Besides, Sir, tho' I have no Orders for saying it, by reason of the unwarrantable

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\* It is remarkable, That when this Minister was dismiss'd from his *Catholic Majesty's* Service, he took Sanctuary in the *British* Ambassador's House, from whence he was taken by Force.

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Manner of treating his Majesty, I can however assure your Excellency, for my own Part, that those Assertions that have been publish'd as certain and avow'd Facts, have not the least Appearance of Truth; since his Majesty has not so much as sent Mr. *Stanyan* a Copy of the *Treaty of Hanover*; and has order'd him not to take any Step, or let slip any Expression, that may give the least Room to his Imperial Majesty to take Umbrage; and moreover, the King's Ministers would doubtless by his Order have explain'd themselves in such a Manner to those of his Imperial Majesty, as would not have fail'd to convince them, that all that had been reported was groundless, had not so injurious a Rumour been spread, before any Information was given to the King my Master: But so unexpected a Procedure too much concerns the Glory of the King, for him to think it proper to give an Account to any Person whatsoever of the Directions which he is pleas'd to give to his Ministers at Foreign Courts. I have the Honour to be, &c.

*De St. Saphorin.*

*Vienna, April 15,*  
*1726, N. S.*

*The*

*The Answer of the Count of Sinzendorff,  
to the Memorial of Monsieur De St. Saphorin.*

S I R,

SUPposing that your Memorial given in Writing would have been confined entirely to the Affair of seizing the Courier at *Belgrade*, it was intended to have given you an Answer in brief; but as that of the 15th of this Month contains several other Circumstances, his Imperial and Catholic Majesty has order'd me to declare to you, that to this Hour, he has not concern'd himself in the Reports of which you take Notice, relating to the Information given by your Court to the *Ottoman Port*; and that in the Conference held between Prince *Eugene* of *Savoy* and the Duke of *Richelieu*, Embassador of *France*, Enquiry was not so much as made, whether the *Treaty of Hanover* had been communicated to that Court in Writing; but only in general, whether the Port had been inform'd of it, by way of inciting them to make War with the Emperor; and, in short, whether the Orders sent to Mr. *Stanyan* to that Purpose, had not been carry'd

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carry'd by a Courier in Disguise, who pass'd here for an *English* Merchant.

It was with this View also, that Orders were given, as early as the 2d of *February*, to the *Sieur Palm*, Resident at the Court of his *Britannic* Majesty, to notify forthwith to the King or his Ministers, the Contents of these positive Advices which had been received from *Constantinople*; all which intimated, that the *British* Ambassador had had an Audience of the Grand Vizier, and that he endeavour'd to excite the *Turks* against his Imperial Majesty. This is what hath been further reported; and from that Time to the Conference which Prince *Eugene* had with the Duke of *Richelieu*, it can be imputed to nothing but the general Voice, the Letters of all the Foreign Ministers residing at *Constantinople*, who with one Consent have spoken of it as a Matter both certain and public; and with Circumstances more at large and particular, than all that hath been either said here, or represented at *London*, by the Resident *Palm*.

We, in a great Measure, guess, Sir, why you insinuate in your Memorial, as of your own Accord, and without Orders, That his *Britannic* Majesty had not so much as sent Mr. *Stanyan* a Copy of the Treaty:



Treaty: But without searching into the Bottom of the Matter, we may reply to you, That the Grievance of this Procedure, till now unheard of, and which we never should have expected from the King your Master, consists not in the *Treaty of Hanover's* being communicated by a *Copy*, but in that it was *really* imparted to the *Turks*; and that by Means of it, Endeavours were used to excite them against the Emperor.

But as it is necessary to shew more particularly what hath happen'd in respect to that Matter, I am to tell you, Sir, by his Imperial Majesty's Order, That in the Month of *December* last, there came hither, as you know, a certain Person who apply'd himself to Monsieur *Bruckhausen*, under the Name and Quality of an *English* Merchant, being conducted by your Secretary, who having given an Account of him to Prince *Eugene*, he caused a Passport to be got ready for him, according to Custom, for pursuing his Journey into *Turky*, thro' his Imperial Majesty's Dominions: That, nevertheless, this same Person arriving at *Constantinople* on the 14th of *December*, appear'd there not as a Merchant, but as a Messenger of the King of *Great Britain*, with important Orders for his

his Embassador Mr. *Stanyan*; That in Fact, on the 20th of the same Month, that Minister had an Audience of the Grand Vizier, and \* *notify'd* to him the *Alliance* made at *Hanover* between the King his Master and the Kings of *France* and *Prussia*; greatly magnifying the *exorbitant Power* of the Emperor, and the Danger that might befall the Princes and States of *Europe*; representing to him, that the *Porte* had now a *favourable Opportunity* of recovering their *former Losses*; assuring him, that if Endeavours were made towards it, the Allies of *Hanover* would come to *no Accommodation* without the *Port's* receiving *entire Satisfaction*; and that all this should, in like Manner, be imparted to him, and confirmed by the *French* Embassador in the Name of the King his Master. That it is true, indeed, that two Days after, discoursing with the Imperial Resident *Dierling*, he assured him, that nothing had been transacted in the Audience which he had had of the Grand Vizier, prejudicial to the Interest of his Imperial Majesty; adding withal, that he hoped no such Orders would

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\* The same Thing was laid to the Charge of the *French*, but was Solemnly deny'd both by their Minister and ours, at the Diet of *Ratisbon*.

ever be given him ; but that it is also very certain, that, from that very Time, the said Resident was inform'd to the contrary, by such Means as he could and ought to depend on ; that all the People, even of *Constantinople*, had got such a Notion, and that they made no Mystery of it at the *Port*.

Such Informations as these must necessarily have obliged the Emperor to take some Precautions. His Orders were sent on the 23d of *January*, to all the Generals and commanding Officers on the Frontiers of *Turky*, to let no Body pass, either going or returning, without giving Notice thereof to the Court ; whereupon the Messenger arriving at *Belgrade*, the Duke of *Wirtemberg* Governor of *Servia*, could not avoid detaining him till farther Orders ; altho', upon finding himself stopt, he at last discover'd his Badge of an *English* Messenger, and deliver'd the Prince of *Wirtemberg* a Letter from the Resident *Dierling*, in which he was so stiled.

What happened upon this, you are acquainted with, Sir, better than any Body. The Duke *de Richelieu* went to Prince *Eugene*, and desired him to release the Messenger, who brought Letters for him and his Court ; and you yourself wrote to him the next Day to the same Purpose ; your  
Health

Health not permitting you to go in Person. The Matter was reported to his Imperial Majesty, who, notwithstanding all the Circumstances of the Fact, was pleased to give Order, that the Messenger, for this Time, might proceed on his Journey. At the same time, Monsieur *Bruckhausen* had Orders, according to the receiv'd Custom of this Court, to give Notice of it to the Duke *de Richelieu* and yourself; which he would have perform'd in Person, had it not been for an Indisposition, that is so real, that he is actually dying; therefore, that he might lose no Time, he entrusted it to an Officer of the Chancery, to whom you did not scruple to own, that the Messenger was the same Person that pass'd here for an *English* Merchant, and as such had obtain'd a Passport to go to *Constantinople*: But then you lay the Fault upon your Secretary; as if such Contrivances could happen thro' Oversight or Inadvertency, especially in respect to a Messenger of the Crown of *Great Britain*, who is a public Person, and highly oblig'd, by every Day's Employment, to wear openly the Badge of his Office; and cannot conceal it, without bringing himself under a Suspicion of some ill Design.

We leave all the World to judge, whether the detaining such a Person as this, in

a Frontier Town, who was returning from such an Errand, and who was nevertheless released afterwards out of Regard to his *Britannic* Majesty, can afford any Room to require Satisfaction for a Violation of the Law of Nations; if, on the other side, his Imperial and Catholic Majesty, had not good Reason to complain of it?

Besides, we know very well WHY what was said by the Duke *de Ripperda* is confounded with this Matter, tho' it hath naturally *no relation* to it; which, together with the Emperor's Conduct in the whole Course of this Affair, will discover to *whom* we have Reason to attribute these *premeditated* Designs of a Rupture, and to *whom* the Violation of the Law of Nations ought REALLY to be *imputed*.

*I have the Honour to be, &c.*

Things being in this untoward  
1726-27. Situation, *January* 17, the Parliament met, and his Majesty, in his *most gracious Speech*, acquainted both Houses, That a secret and *offensive* Alliance had been concluded between the *Emperor* and *Spain*; and that the *placing* the *Pretender* on the *British* Throne was one of the *Secret* Articles of that Treaty: That *Russia* would have been *concern'd* in the *Invasion*, if not  
pre-

prevented by the *British* Fleet, sent to the *Baltick*: Whereupon his Allies of *France* and *Holland*, had augmented their Forces, and *Sweden* and *Denmark* were about to accede to the *Hanover-Alliance*; and he did not doubt but his Parliament would assist him to perform his Part: That the *Spanish* Minister was recall'd abruptly, and had left a \* Memorial behind him, little short of a *Declaration of War*, wherein he demanded the Restitution of *Gibraltar*, and made the recalling the Squadrons his Majesty had sent to the *Mediterranean* and the *West Indies*, the Condition of any farther Correspondence between the Two Crowns; looking upon the Continuance of those Fleets abroad as actual Hostilities, and threatening to repell them by Force: That the King of *Spain* was actually assembling an Army in the Neighbourhood of *Gibraltar*: But he had *undoubted Intelligence*, their first and *principal* Design was to *invade* these Kingdoms: He demands therefore of the Commons the Supplies necessary for the *Defence* of THEIR COUNTRY; and, as they had, the last Year,

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\* In this Memorial, He declar'd, *That the violent State to which Affairs was reduc'd, was owing to the Ministers of ENGLAND.*

enabled him to lay out what Money he thought *necessary*, he hop'd they would repose the *same Trust and Confidence* in him again; that his *Necessities* should never make him *touch* the SINKING FUND, but desires, they would apply it to the Use it was design'd.

It is observable, That, early in the last Session, when the late Treaties were under the Consideration of the Lords, the Duke of N—— acquainted the House with a Passage out of a Letter of Mr. Stanhope's, his Majesty's Minister in *Spain* (now Earl of Harrington) which signify'd, *That in a private Conversation, the Duke of Ripperda had not scrupled to own, That, besides what had been already communicated to him about the late Treaties of Vienna, there were still some other Secret Articles, which, in due Time, should be made Public, whereby the Contracting Parties mutually engag'd to assist each other with a certain Number of Troops, in ORDER to support the Ostend Company and recover Gibraltar.*

Not a Word of the Pretender, or an Invasion, and yet this Tattle of Ripperda's seems to have been the only Foundation for the Pretence of so much Danger, or the putting the Kingdom to so much Charge; as is farther Apparent from the  
*Secret*

*Secret Treaty* itself, which was conceiv'd as follows.

I. There shall be between his Imperial Catholic Majesty and his Royal Catholic Majesty, a solid and sincere Amity, which shall be mutually cultivated, in such Sort that the one shall procure all Advantages for the other, as if they were for himself, and the other shall return the same.

II. And it being represented by the most Serene King of *Spain*, that the Restitution of *Gibraltar* with its Port, had been PROMISED by the King of *Great Britain*, and that his Catholic Royal Majesty does insist upon the Restitution of *Gibraltar* with its Port, and likewise of the Island of *Minorca* and *Port Mabon*; it is declared on the Part of his Sacred Imperial Majesty, that he will not in any Manner *oppose* this Restitution, but as far as he is able, employ all *good Offices* to this Purpose, and if the Parties desire it of him, accept the Mediation.

III. The most Serene King of *Spain*, *Philip V.* to give a most evident Proof of the Sincerity of his Friendship, promises and engages to permit all Ships of his Imperial Majesty's Subjects of what Nation soever they be, to enter freely into all the



Ports of *Spain*; and so as they may trade with all Freedom and Security, and enjoy all the Privileges and Prerogatives that any the most favoured Nation does enjoy, (as the *French* do at present, and as the *English* formerly did) and that too from the Day of the Publication of this Peace; which shall be published immediately in all Ports and Places convenient, as it is agreed in the Treaty of Commerce signed this Day.

IV. And in Case the Ships of his Imperial Majesty shall be attacked on this Account, on this, or on the other, Side the Line, his Catholic Majesty promises to make it the Common Cause, and to take Vengeance and Reparation for the Injuries and Damages they shall sustain.

In like Manner, if the Ships of his Catholic Majesty shall be hostilely attack'd, either on this, or on the other, Side of the Line, on this Account, his Imperial Majesty promises likewise to make it the Common Cause, and to take Vengeance and Reparation for Injuries and Damages sustained.

V. And whereas by the Quadruple Alliance, for the Security of the Realms, Dominions, and Provinces possessed by the contracting Powers, it was stipulated, that  
they

they should become reciprocal Guaranties; it is nevertheless found necessary by the present Alliance, to explain more at large what is meant by the Word *Security*, and better to provide for what may happen. For this Purpose therefore, and to confirm more strongly the Amity begun between his Imperial and his Catholick Majesty, it is thought necessary to particularize as follows, the Succours with which each Party is to furnish the other for their mutual Security, *viz.*

If the Emperor, his Kingdoms, and Hereditary Dominions, in whatever Place situate, shall be hostilely attacked, or if the War, begun in another Country, shall be carried thither, that then his Catholic Majesty promises to assist and succour his Imperial Majesty with all his Forces both by Land and by Sea; and particularly to furnish a Navy of at least fifteen large Ships of War, commonly called *Line of Battle Ships*; and besides this, an Army of 20,000 Men, that is to say, 15,000 Foot, and 5000 Horse, their Winter Quarters to be provided by the Emperor.

His Catholic Majesty to be excused if he shall furnish Money instead of Troops, after the Rate of 8000 Florins a Month for every 1000 Foot, and 24,000 for

### 312 *A Detection of the*

every 1000 Horse, payable, at the Times stipulated, by the *Genoese*, in the Town of *Genoa*.

And if the King of *Spain* shall not furnish the Ships stipulated, he shall send an Army of 10000 Men, or Money for them, according to the Calculation above-mentioned.

In like Manner, his Imperial Majesty promises and engages to succour his Catholic Majesty with all his Forces both by Land and by Sea, in Case his Catholic Majesty's Dominions in *Europe*, or elsewhere, shall be hostilely attacked; and particularly to send to his Aid 30,000 Men, that is to say, 20,000 Foot, and 10,000 Horse, to be provided with Winter Quarters by his Catholic Majesty.

VI. The Embassadors Extraordinary and Plenipotentiaries of the two Powers contracting, promise respectively, that this particular Treaty of Alliance and Amity shall be ratified by his Imperial Majesty, and by his Catholic Majesty, according to the Form mutually agreed; and that the solemn Acts of Ratification shall be exchanged within Three Months, or sooner if possible.

Under Faith of which, the said Ministers, Embassadors Extraordinary, and Plenipo-

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nipotentiaries, have signed with their own Hands this Instrument of Alliance and particular Amity; and confirmed it with their Seals, &c.

Done at *Vienna in Austria, April 30, 1725.*

*Eugene de Savoye,*

*Philip Lewis, Count de Zinzendorf,*

*Gundaker, Count de Staremburg.*

*John-William, Baron de Ripperda.*

But however effectually, the communicating this *Secret Treaty* absolved his Imperial Majesty from the principal Matters laid to his Charge, the following severe Memorial was presented to the King by M. *de \* Palm*, the Imperial Resident, and likewise dispers'd all over the Nation:

*Most Serene and Potent King,*

**A**S soon as the Speech made by your Majesty to the Parliament of *Great Britain* now assembled, came to the Knowledge of his Imperial and Catholic Majesty, my most gracious Master; he was struck with the utmost Astonishment, that your Majesty could suffer yourself to be prevail'd upon to declare from the Royal Throne, to that most renown'd Nation, in a Manner

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\* For which he was order'd to depart the Kingdom forthwith.

hither.

hitherto unheard of, as certain and undoubted Facts, several Things, some of which are strain'd in that Speech to a wrong Sense, some are entirely distant from the Intentions of his Imperial and Catholic Majesty; and lastly, (which affect much more sensibly than all the rest) some Things absolutely void of all Foundation.

For as to what regards the Peace concluded at *Vienna* with the Most Serene King of *Spain*, who can forbear being astonish'd, that this very Peace, which is built on the Quadruple Alliance sign'd at *London*, and other Treaties, contracted with your Majesty, as its solid and sole Foundation; and for the obtaining of which Peace, your Majesty, together with your Allies, waged so bloody, so long, and so glorious a War, and took your self so much Pains to procure, should now be alledged by your Majesty as a just Ground of Complaint, and should be made use of as a Pretence for those Things, which hitherto your Ministers have been doing in all Parts, to the great Detriment of the Emperor and the Empire, and the Public Tranquility, and should be represented by your Majesty to the *British* Nation, with so much Animosity against the Emperor and King of *Spain*, as a Violation of Treaties?

After

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After complaining of the Peace made at *Vienna*, Complaint is likewise made of the Treaty of Commerce enter'd into with *Spain*, which is calculated to promote the mutual and lawful Advantages of the Subjects of both Parties, which is agreeable to the Law of Nations, and to the Customs of all People in Amity with each other; which can in no respect be of any Prejudice to the *British* Nation, whether we regard the Situation of the Countries, or the particular Nature of the Trade, and which is not in the least repugnant to the Treaties made with *Great Britain*: So that if this Treaty be consider'd with a Mind free from Prejudice, and from all Design of inflaming the Nation, there will remain no Pretence to say, that this Treaty can be grievous or hurtful to a Nation for which his Imperial Majesty has the greatest Affection and Esteem, and whose glorious Exploits and important Succours no Time will efface out of his Memory.

The other Head of Complaint, which contains such Things as are void of all Foundation, relates principally to that *imaginary* Alliance, which in the Speech is call'd *Offensive*, and is there suppos'd to have been made against your Majesty, between the Emperor and King of *Spain*. But it will  
not

not only appear how groundless and frivolous this Supposition is, from the Offer lately made by his Imperial and Catholic Majesty, of entering into a Convention, *De se mutuo non Offendendo*, but will be entirely refuted by the Consideration of the Tenor of the *Treaty of Alliance and Friendship* itself made with the Crown of *Spain*, and communicated in its *whole Extent* to your Majesty when it was proper ; from the Words of which, whether the least Shadow or Appearance of an Offensive Alliance can be drawn, is submitted to the Judgment of the whole World.

Another Part of the Complaint relates to the *Secret Articles made in Favour of the Pretender*, whereof your Majesty asserts, that you have *certain and undoubted Informations*, by which Articles it should have been agreed to set the *Pretender* on the Throne of *Great Britain*. With what View, on what Motive, and to what Purpose, these Informations, founded on the falsest Reports, were represented to the People of *Great Britain*, is not only easy to be understood by his Imperial and Catholic Majesty, but is obvious to the meanest Capacity. But, since the inviolable Dignity and Honour of such Great Princes cannot suffer that Assertions of this Nature, entirely unsupported by  
Truth,

Truth, should be advanced from the Royal Throne to the whole Nation, and to all Mankind, his Sacred Imperial and Catholic Majesty has expressly commanded me, that I should declare to your Majesty, and to the whole Kingdom of *Great Britain*, how highly he thinks himself affronted thereby; solemnly affirming, upon his *Imperial Word*, that there exists no secret Article nor CONVENTION whatsoever, *which contains, or can tend to prove the least Tittle of what has been alledged.*

But that the secret Designs, which lie conceal'd under a Conduct till this Time unheard of, may more manifestly appear, it must be observ'd, that the Time is purposely taken for doing this, when a Negotiation is on Foot at *Paris*, for composing the Differences which have arisen without any Fault of his Imperial and Catholic Majesty; which Negotiation sufficiently shews how much his Imperial and Catholic Majesty is at all Times inclined to Peace, and to the religious Observation of his Treaties.

As to what is said of *Gibraltar*, and concerning the Siege thereof, under which, in the Speech it is insinuated, as if some other Design was concealed; the Hostilities notoriously committed in the *Indies* and elsewhere,



where, against the King of *Spain*, in Violation of Treaties, seem to have given a very just Occasion to the King of *Spain* for attempting that Siege. But as to the Intentions and Engagements of the Emperor upon that Article, it is easy to see what they are, by the Treaty abovemention'd, which has been communicated.

As to what is said in the last Place, concerning the *Ostend* Trade, which the Goodness of the Catholic King induc'd him to favour (being bound by no Treaty) after he had been appriz'd of the just Reasons for the Establishment of it, various Expedients for a Composition have been propos'd, not only at the *Hague*, but even lately at *Paris*, lest this harmless Method of providing for the Security of the Barrier, should prove an Obstacle to the common Friendship of Neighbouring Powers.

Which Things being thus, the Injury offer'd to Truth, the Honour and Dignity of his Sacred Imperial and Catholic Majesty require, that they should be expos'd to your Majesty, to the Kingdom of *Great Britain*, and to the whole World. And his Sacred Imperial Majesty demands that Reparation which is due to him by all manner of Right, for the great Injuries which have been done him by these many Imputations.

In

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In Count *Sinzerdorf's* Letter of Instructions, for drawing up the above Memorial, are likewise the following remarkable Passages,

“ It is easy to see, that the *Speech* was made for *no Purpose*, but to excite the Nation to a *Rupture*, and open War with the Emperor and *Spain*, and to make the *Parliament* approve the *precipitate* and *burthen-some* Measures which the Government has taken for *private Ends*, but too well known; That not only unwarrantable Inferences and Pretences have been made use of, but that manifest Falshoods have been boldly advanc'd for indisputable Facts; a Proceeding never seen before among Powers who ought to respect each other, when in the most flagrant Wars; from whence it ought to be presum'd, that the King, whose sacred Mouth ought to be *an Oracle of Truth*, must have been himself *abused* by the *Suggestions* and *false Reports* of those, who have the Honour to possess his Confidence; and who think it their *Interest* to *inflame*, by these Means, both the *Prince* and the *Nation*, for their own *private Views* and *Personal Preservation*, without any Regard to the Honour of the Majesty of the Throne, or to the *Evils* which may result from  
hence

hence to their *own Country*, and to all *Europe*.

For these Purposes they establish a Foundation, and lay down as a certain Fact, that there is a positive Article in the Treaty of Alliance between the Emperor and the King of *Spain*, to place the *Pretender* on the Throne of *Great Britain*, and to invade that Kingdom with open Force; and this they do, a few Days after the Minister Plenipotentiary of the Catholic King had, before his Departure from *London*, in a Memorial presented in the Sacred Name of his Master, publicly and in the most authentic Manner, disavow'd these Imputations, which sufficiently prove the Emperor's Disavowal of the same, since the pretended Article was equally imputed to the Two Powers, and one of them could not have stipulated any thing in the same Treaty without the other. Besides which, it is to be consider'd, that six Months ago, upon the first Reports of these false Suppositions, the Emperor and King of *Spain*, in order to silence them, proposed a formal Act, *de non offendendo*, into which all the Allies on one Side and the other might enter, and which would effectually have secured the *peaceable Possessions* of each of the Powers contracting, either in the Treaty of *Vienna*, or that of *Hanover*,

*Hanover*, till such Time as it had been possible, by one general Treaty to remove and quiet the Complaints of all Sides: But these Proposals were render'd *ineffectual*, by the same Views of *those Persons*, who chose rather to hinder the peaceable Effects of these just Designs, by Attacks and open Hostilities."

Having thus, from these authentic Papers, thrown all the necessary Lights on the *Crisis* before us, we return to the immediate Business of the Session.

His Majesty's most *gracious Speech* being read, according to Form, in a Committee of the whole House, a Motion was made by Mr. *Onslow* to have it *echoed* back in the Address with all the Duty, Loyalty, and Punctuality imaginable: This, however, was warmly oppos'd; Some alledging the Absurdity of approving Measures to prevent Dangers, before they knew what those Measures were, or whether those Dangers were real: And others comparing our Politics to *Penelope's*; *Doing* and *Undoing*; calling the *Pretender* a *State-Bugbear*; representing an Invasion to be impracticable, without the Help of *Gulliver's Floating Island*; declaring that the only Affair of any Moment to *England*, viz. the *Ostend-Company* might have been *nipp'd* in the Bud, for 10000 *l.* and insinuating, that

Treaty of *Hanover*, our provident Ministers agreed to pay the *Swedes* a Consideration of 50,000 *l.* a Year for Three Years, tho' the said Treaty did not lay the *Swedish* Crown under so many *Obligations* as former Treaties; as we find it urg'd by Count *Horn* to the States of that Kingdom.

To defray all these and many more extraordinary Expences, a Tax of 4 *s.* in the Pound was laid upon the Land; the Surplusses of the Coal Tax were \* mortgag'd for 370000 *l.* (tho' it was urg'd, that all Surplusses belong'd to the *Sinking Fund*, and consequently the Alienating any of them clash'd even with the King's Speech) and another *Vote of Credit* was † wedg'd into the Malt Bill, tho' the Grants already made, amounted, within a Trifle, to Three Millions.

Having seen the Court thus arm'd at all Points, let us next return to the Progress of the *Opposition*.

on the Side of *Holland*, 30,000 *Danés* in the Pay of *England* and *France* into *Lower Saxony*, who were likewise to be join'd with 18000 *Hanoverians* and 12000 *Hessians*, that a War might be kindled in the Heart, and on the Frontiers of the Empire at once.

\* On a Division of 209 against 82.

† By 225 against 109; upon this Occasion Mr. *Hungerford* took the Liberty to say, "That having already given 4 *s.* in the Pound upon Land, the admitting this Clause of Credit, would be clapping a Tail to the Whale, which might sweep away the other *Sixteen*."

*Feb.*

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*Feb. 7.* A Motion was made to address for all such Memorials or Representations, from the Crowns of *Sweden* and *Denmark*, as induc'd the King to send the Squadron to the *Baltick* last Year, at so great an Expence to the Nation : NEGATIVE 196 to 79.

*Feb. 10.* An indigestible *Item* appearing in the Account, shewing how the Money given for the Year 1726, had been disposed of, *viz.* of *One Hundred and Twenty-five Thousand* Pounds, charg'd in *general Terms*, as issued for other Engagements and Expences than were specify'd, Mr. *Pulteney* insisted, that, before the said Account was referred to the *general Committee*, the House should be made acquainted with the particular Disposition of so considerable a Sum ; but the contrary was voted by 178 against 78.

It being apprehended, however, that such a Proceeding as this would be attended with disagreeable Consequences, an Address was *permitted* to pass both the Committee and the House, for an Account of the Distribution of the said Sum ; to which his Majesty was pleas'd to answer, That the Sum in question *had been disburs'd, pursuant to the Power given to his Majesty by PARLIAMENT, for NECESSARY Services and Engagements of the UTMOST Importance to the TRADE and*

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NAVIGATION of this Kingdom, and the TRANQUILITY of EUROPE, and which require the UTMOST SECRECY; and, therefore, a particular and distinct Account of the Distribution of it cannot possibly be given, without manifest prejudice to the PUBLIC.

This Answer being held insufficient by some, Mr. Pulteney mov'd for a farther Address, most earnestly to beseech his Majesty, &c. but on the quoting of a lame Precedent relating to the Contingences of the Army in the Reign of Queen Anne, the Question was put, and carry'd as the Court would have it, by 235 against 110; and another Address was voted, expressing the Thanks of the House for his Majesty's great Care and Wisdom, &c. and to assure his Majesty, That this House, placing an ENTIRE CONFIDENCE in his Majesty's Goodness, and Regard for the TRUE INTEREST of his People, will stand by and support his Majesty in ALL such FARTHER MEASURES as his Majesty shall find necessary and expedient for PREVENTING A RUPTURE, and for the Honour and Advantage of these Kingdoms.

The Case of the Commissioners of the Hawkers and Pedlars Duty, as represented in the Petition by the said Commissioners, having been referr'd to a Committee, it appear'd by the Report made to the House thereon,

thereon, that the said Duty, for the Space of Four Years, except 1500*l.* was lost to the Public, tho' the Money arising therefrom should have been paid, according to Act of Parliament, into the *Exchequer* Weekly; and that, by Reason of the loose, careless, and neglectful Management of the late Commissioners, there was a Deficiency of 36693*l.* 13*s.* 5*d.* on the said Duty, over and above 6000*l.* which had been paid by the Securities of the late Cashier to the said Commissioners.

It happen'd, that this Abuse of the Public was so notorious and inexcusable, that even the very Courtiers were asham'd of it, and Sir *W—— R——* himself, tho' he endeavour'd to exempt the \* *Minister* from any Blame or Censure on that Account,

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\* It ought not to be forgot, That among those who clamour'd with most Bitterness upon this Occasion, there was one Gentleman, who, before the End of this very Session, made a Visit to Sir *R. W.* to give him to understand, *He was on the Point of setting out for Paris; and that if he had any Commission to his Brother, which was of too delicate a Nature to be committed to Writing, he should be proud of his Commands.*—This frank and forward Offer of a seeming Enemy, Sir *R.* soon after, communicates to a certain Right Honourable Member; adding, *He is certainly the impudentest Fellow in the World: Then will I stake my Life,* replies the said Member, *That you become sworn Brothers within this Twelvemonth;* which Prophecy we have seen punctually verify'd.



thought it adviseable to move, *That † the Petition of the said Commissioners might be rejected*, which was carry'd without dividing.

But this artful Palliative had not all the desir'd Effect ; Mr. *Pulteney* not only brought the Abuse home to the Treasury, but inveigh'd fiercely *against the Audaciousness* of SOME PERSONS, *who, by their corrupt Management, thought themselves so powerful and secure, as to dare to SKREEN the greatest Offenders.* Sir *Robert Walpole* recriminated with a Charge against *other Persons, Of Disappointment, Envy, Malignity, shooting Poison in the Dark, scatter'd under Allegories, in vile Libels, &c.*

The *Courtiers*, however, being in pain for their *Chief*, call'd for the Order of the Day, which put an End to this curious Interlude ; tho' not to the Resentment it occasion'd ; for when Mr. *de Palm's* Memorial, before insert'd, was laid before the House, in order to convince the Emperor, that the Elector of *H——* had a better Interest there, than his Imperial Majesty, the Ad-

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His Case was, afterwards, recommended in his Majesty's Name to the Consideration of Parliament, by the *House of Commons*, the *Exchequer*, and a Committee was appointed to enquire into the Debt.

dress

## Parliaments of England. 329

dress of *Abhorrence* and *Defiance*, which was procur'd upon that Occasion, was wound up in the following Terms:

‘ And if any among your *own Subjects*,  
‘ have been so *wicked* as to *countenance*, en-  
‘ courage and abet the *Disturbers* of the  
‘ Public Tranquility, in this *extravagant*  
‘ *Insult* upon your Majesty, or *flatter’d* them  
‘ with *Hopes*, that an *obstinate Perseverance*  
‘ in their *destructive Measures* could stagger  
‘ the Firmness of the BRITISH NATION,  
‘ we are *resolv’d effectually* to *defeat* all such  
‘ *groundless Expectations*, and to *convince*  
‘ the *World*, that the INTREAGUES of a  
‘ FEW cannot, in any Degree, abate or  
‘ slacken that Vigour and Resolution, with  
‘ which a *true Love* and *Concern* for OUR  
‘ COUNTRY, a just Sense of its *Interests*,  
‘ and an unshaken Loyalty to your Majesty,  
‘ have inspired us.’

Could the Senate of *Tiberius* have said more? Could the Parasites of any Court whatever have lick’d the Dust of the Royal Foot-stool with more Servility? Did the stupid and incorrigible *Jews* sin more against *common Sense*, when they set up their *Calf*, and proclaim’d, *These are thy Gods, O ISRAEL*? And yet this was the Voice of those

those who were become the *Representatives* of Great Britain, to a Sovereign of their *own Cbusing*. — My Stomach turns as I write: But, however sick, he that is embark'd, must proceed to the End of his Voyage.

The \* Joss of the Session being over, May 15th, his Majesty put a Period to it, with a Speech to both Houses, in which, after

\* Among which ought not to be forgot, the famous one of the *Army Debentures*, a Brief of which we find thus deliver'd in Parliament, out of the Mouth of the great Patriot Mr. P. upon the Motion for an Address to remove Sir R. W.

“ We all know what a prodigious Sum that the Debts due to the Army, and to foreign States, were at last brought to, which continued for several Years to circulate under the Name of *Army Debentures*, at an Interest of *four per Cent.* without any Fund for paying off the Principal. Most of those Debentures that were certified before the 21st of *March* 1719, were subscribed into the *South-Sea Company*; but of them there remained unsubscribed near 400,000 *l.* and after the 21st of *March* 1719, new *Army Debentures* were made out for Debts not before certified for near 550,000 *l.* so that, for some Time before the Year 1727, there was near a Million circulating in *Army Debentures* at *four per Cent.* without any certain Fund for paying the Principal; for as the *Sinking Fund* had been appropriated to the Payment of Debts contracted before the Year 1716, some People doubted if it could be applied to the Payment of these Debentures; and as there was always a great Number of them at Market, they came at last to be sold at above 30 *l. per Cent.* Discount. But towards the latter End of the Year 1726, all that could be got at any Discount were bought up, and a certain Shop in this City was par-

## Parliaments of England, 331

after the usual Compliments, he refers to the Siege of *Gibraltar*, now commenc'd, for a Demonstration of the Designs of the Emperor and *Spain*, signifies nevertheless, that, in Conjunction with the most *Christian* King, and the *States General*, he had made Offers of an Accommodation; gives them to understand that *Sweden* had acceded to the Treaty of *Hanover*, and that, together with the most *Christian* King, he had made a \* Convention with *Denmark*; glories in the Wonders perform'd by the Commons this Session, as so many Proofs of the Credit, Power and Strength  
of

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particularly noted for the purchasing such Debentures. At last, upon the 7th of *March* 1736, a Resolution was come to in this House, to pay off all those Army Debentures; of which Public Notice was given, and by an Act of the same Session, the Sinking Fund was appropriated to the paying off all these Debentures at their full Price, by which the last Purchasers got in a few Months above 30 *per Cent.* clear Profit.

“ Whether the Minister himself was personally concerned in this Job, I shall not pretend, Sir, to determine, but some of his Friends were known to be concerned in it.

\* Which hath for its Foundation, the Security of *Sleswick* to the Crown of *Denmark*, and the Maintenance of the Tranquillity of *Lower Saxony*, in Order to which his *Danish* Majesty was to keep on Foot, an Army of 24,000 Men, which was to be reinforc'd with 6000 more in Case of need. *France* paying 350,000 Rix Dollars annually for Four Years, to his *Danish* Majesty, &c.

And

of this Kingdom; and concludes with a Hint, That he was scarce able to decide, whether we should have *Peace* or *War*, &c.

But tho' his Majesty chose to be so diffident on this great Point, the *Preliminaries* for a general Pacification, were sign'd at *Paris*, within Five Days after the Prorogation; whereby the *Ostend East-India* Trade was suspended for Seven Years, The *English*, *French* and *Dutch* were restor'd to all their Commercial Privileges, \* Hostilities were to cease on the part of *Spain*, and a Congress was to be open'd, within four Months, for the final Determination of all Differences.

But this was an Event his Majesty did not live to see; being taken ill in his Way to *Hanover*, and dying at *Osnaburgh* *June* the Tenth, 1727.

And his *Britannic* Majesty engages to secure *Denmark* from the Insults of the *Russian* Fleet, by sending a sufficient Squadron of good Ships when call'd for: as likewise, to furnish Two Bodies of Troops of 12,000 Each, to join the 24,000 *Danes* before mention'd, upon the first News of the Motion of the *Russians*, or any other Troops whatever, to attack *Sleswick*, and trouble the Repose of *Lower Saxony*.

\* On our Side, none had been commenc'd, except in the Defence of *Gibraltar*; and even in that Case, we behav'd so unaccountably, that the *Spaniards* landed Supplies of all Sorts, for the carrying on the Siege, under the Stern of our *Admiral*, without the least Interruption, or Fear of any.

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## Parliaments of England. \* 333

As I am not writing a regular History, I am under no Obligation to touch upon this Prince's Character; but, as I have dealt freely with his Reign, I owe this Justice to his Memory, That, tho' his *Heart* was apparently *set* on aggrandizing his *Hanover* Dominions, he had no Purpose to do any essential Injury to the People of *England*: To make their Ministers answerable for all Faults, we are told, is the Privilege of our Kings; but if it had not been so, he might have challeng'd it as his Right: For being a Stranger to our Constitution, he expressly *desir'd* in all Things to be directed by it; and, if ever he departed from it, it was because his *Guides* led him astray.

*I. The following Particulars are added by way of Supplement, to the Second Part of the First Session, of the First Parliament, after the Accession of K. George I.*

I. The King, Jan. 9, 1715-16, in his *most gracious* Speech from the Throne, assures himself of the Parliaments *acting with such a Vigour as will end in the Confusion of all those who had openly engag'd in the Rebellion*: In another Part, He acknowledges it to be a Matter of the greatest Uneasiness to him, That the Rebellion should cloud the *intended Clemency* of his Reign,

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by calling for *indispensible Returns of Severity*; and in the Conclusion, He makes no Question but that the said Rebellion would *abolish all other Distinctions, but of such as are zealous Assertors of the Liberties of their Country, and of such as are endeavouring to subject the Nation to the REVENGE and TYRANNY of a Popish Pretender.*

II. An \* Act was pass'd by both Houses, *for the more easy and speedy Trial of such Persons as have levy'd, or shall levy War against his Majesty*; by which it was provided, That Persons guilty of Treason, and who were in Arms in the Rebellion, were to be tryed for the same, before such Commissioners, and in such County as his Majesty should appoint: whereas, before this Law was obtain'd, the Offenders were to be try'd in the County where the Fact was

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\* To this Bill great Opposition was given in both Houses, and it was prov'd to be directly contrary to *Magna Charta*, and subversive of the antient, undoubted, and fundamental Rights of the Subject: But all this signify'd nothing: *Necessity* was made a general Answer to all that could be urg'd; as if there could be any Necessity for making all the People of *England* Slaves; or any Equivalent could be given for such a Sacrifice.

It is certain, this Act, and the gracious Speech above quoted, were held as Authorities for very severe, if not unjust Proceedings: And a Jury which, in *Sensbworth*, had acquitted Two Gentlemen, were thereupon dismiss'd; and another were impannell'd by the Court in their Stead:

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committed, by Jurors of the same County, who were suppos'd to be the best Judges of the Fact committed; it being within their Knowledge.

III. A farther Alteration was also made in the Constitution, by the *Riot-Act*, which has been treated of p. 201. For, in Virtue of this Law, four *Rioters* were executed in *Salisbury Court*, as guilty of *Felony*, who would otherwise, have been punish'd with Fines and Imprisonment only.

IV. The \* farther Suspension of the *Habeas-Corpus*

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\* Of these Suspensions of the *Habeas-Corpus* Act, I find it thus written.

Whilst they were so happily possess'd of a Rebellion to carry on their Purposes, many Persons of -all Ranks were seized, and without any Forms of Law, or knowing their Accusers, and even without any Accusation at all, were detained a long time in Prison; their Friends and Relations prohibited to come near them, and they not permitted to have common Necessaries: Which Invasion of Men's Rights was so universally practis'd throughout the Kingdom, it would fill a Volume to enumerate how many Persons and Families were undone by it. I have seen a Manuscript in the Hands of a Nobleman, containing the Names of the Oppressors, and an account of Thousands of Innocent People, many of them Persons of distinction, who suffered in their Health, Estates, and several who lost their Lives by that illegal Method of Imprisoning, *ad arbitrium*. Which surely was a great Argument, among a Multitude of others, of the dangerous Consequence of breaking in upon the Fences of National Freedom. Not but that it is a prudent piece of Policy in all Governments, to strengthen themselves by securing the Persons of such Enemies, as plot their Overthrow: But the Methods, these Men



*beas-Corpus* Act we have before taken Notice of; But it is proper to add, That when Exceptions were taken to it in the House of Lords, as being *wholly unnecessary*, and an Amendment propos'd, That *the Cause of Commitments should be assign'd, and that villanous and false Informers might be punish'd*, those Clauses were rejected, and the People of *England* were again left at the Mercy of the Ministry; tho' it is remarkable, That King *Charles II.* refus'd to be at the Mercy of the People, by parting with his Power over the *Militia*, tho' but for HALF AN HOUR.

V. And it moreover pleas'd this most devoted Parliament to throw in yet another Complement to the Crown, by a † Law to indemnify

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Men made use of, were wholly unjustifiable, and wou'd have rendered them odious, tho' they had done nothing else, that was bad. For, what else could be said of them and their Proceedings, but that the Conservators of the Liberty of their Countrymen, not only gave up the chief Security thereof, which was the *Habeas-Corpus*; but shewed the Example themselves to Others, to strike at the Root of the Constitution?

† Of this the Writer just quoted, comments as follows,

As the *Army* was their chief Support, they studied all ways of pleasing the Officers, and subjecting the Common Soldiers to answer their Ends. In order to the first of these, they paid them well, indulged them in all kinds of License, that a victorious Army are prone to; and then to quiet their Minds against the Fear of Suits or Prosecutions for their Outrages,

**Indemnify such Persons, who have acted in  
Defence of his Majesty's Person and Government,**

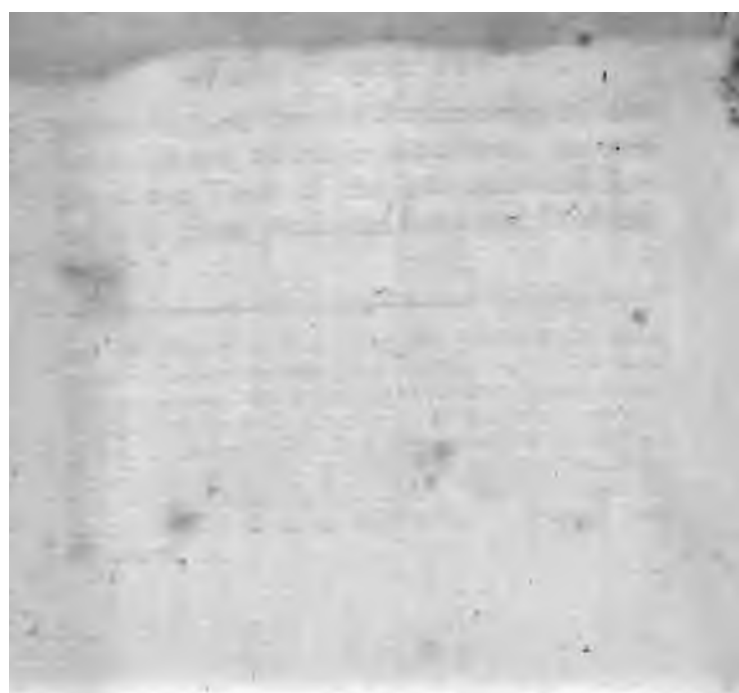
rages, they kindly gave them a *Bill of Indemnity* for their late Use and Protection; and to justify all the Insults and Barbarities they had committed, which were without Number. And when the Country became exhausted by Taxes, and that all Men cried out to have the Army reduced, they fell upon a Scheme to favour their good Friends, and yet seem to comply with the Wishes and Wants of the People: which was to model the Army so, as to keep up a *great Number of Officers*, and fewer Soldiers. By which means, they had a new Opportunity of Purging that Body of those they disliked, they gratified their Friends, and still retained the same Power to do Mischief, and continued the same Oppression upon the Country.

In Order to subdue the Spirits of the Common Soldiers to all their Uses, they set up *Martial Law*, independent of the Civil Magistrate, and in Times of Peace. This was to act fairly, and take off the Masque at once: since it was, in effect, to set up for a Military Government without further Ceremony. For, how averse soever the Soldiers might be to trample upon the Laws and Liberties of their Countrymen, they were by *Martial Law* to be compelled to it: a Refusal to serve for such Purposes was thereby interpreted *Mutiny*; for which they were instantly to be Shot, being deprived of the Benefit of the Laws of the Land, and totally excluded from their Right by *Magna-Charta* to an equal Tryal by a Jury of their Neighbours. And the Hardship was still the greater upon the Common Soldiers, that, though their Country should not require their Service, and that they should desire to retreat to their Homes, their Families, or some honest Occupation, it was not in their Power; but they were to be put to Death for *Deserters*, to attempt a Delivery from Idleness and Servitude. Thus, by Virtue of this Law, the Soldiers became first enslaved, in order afterwards to bring the Country under Bondage: Whilst the Officers gained a Dominion, which they abused according to the Tyranny of their Natures









1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for the company's financial health and for providing reliable information to stakeholders.

2. The second part of the document outlines the procedures for handling customer inquiries. It states that all inquiries should be handled promptly and professionally, and that the company should strive to provide excellent customer service at all times.

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4. The fourth part of the document discusses the company's commitment to social responsibility. It states that the company will continue to support various social and community programs and initiatives to promote social justice and equality.

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8. The eighth part of the document discusses the company's commitment to employee development. It states that the company will continue to provide training and development opportunities for all employees and will strive to create a positive and supportive work environment.

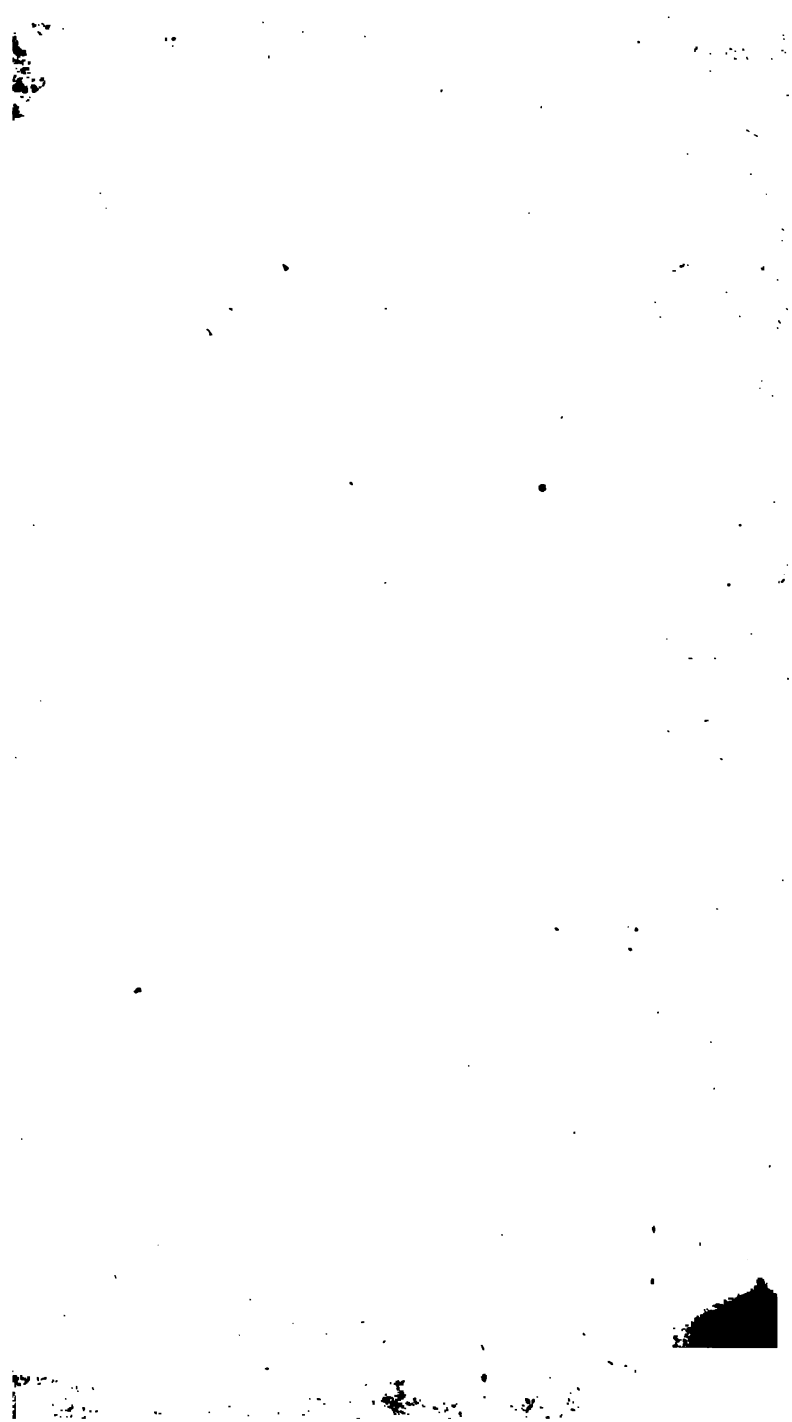
9. The ninth part of the document discusses the company's commitment to risk management. It states that the company will continue to identify and assess risks and will implement appropriate measures to mitigate those risks.

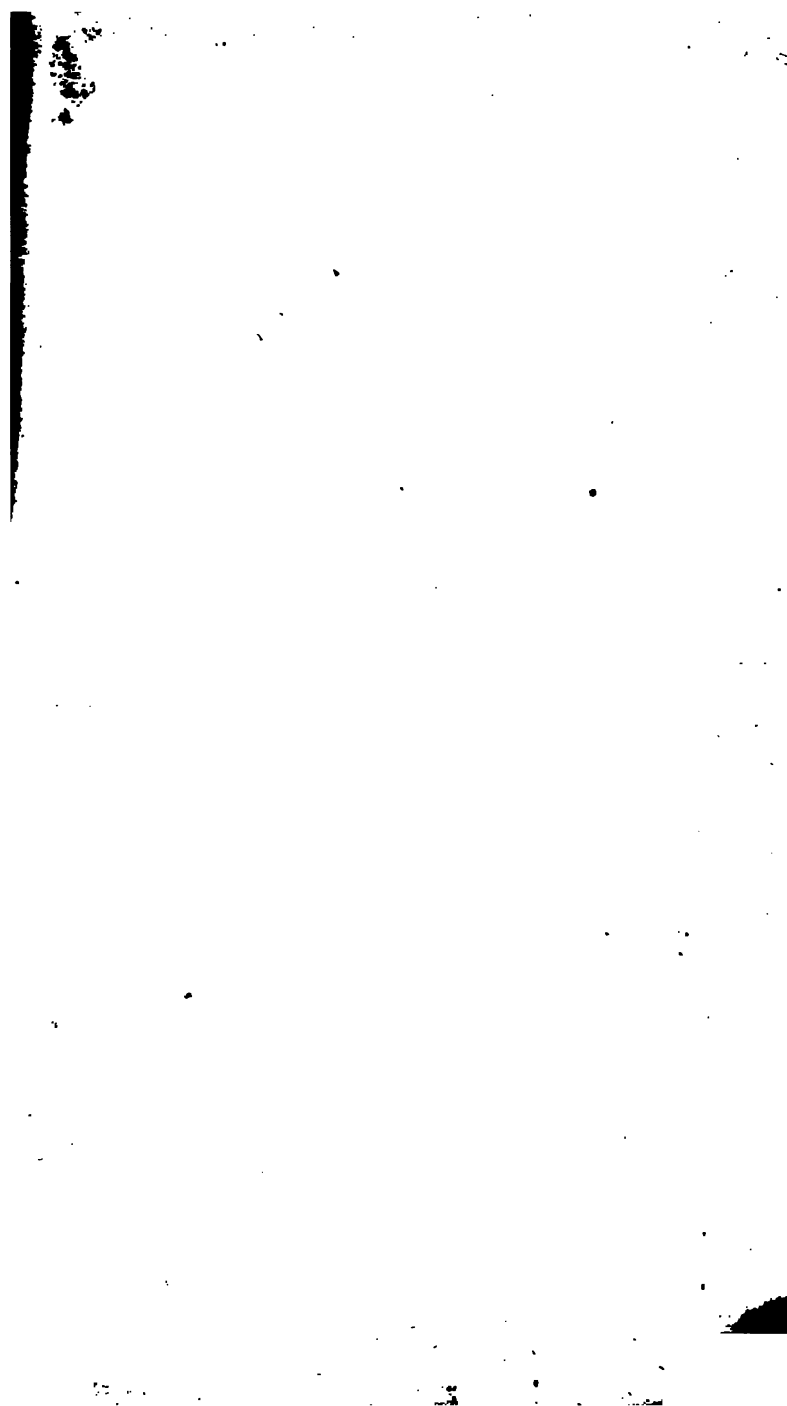
10. The tenth part of the document discusses the company's commitment to compliance. It states that the company will continue to ensure that all activities are in compliance with applicable laws and regulations.











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vernment, and for the Preservation of the public Peace of these Kingdoms, in and about the Time of the late unnatural Rebellion, from vexatious Suits and Prosecutions.

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and the Pride of Upstarts: and this perhaps might make common Soldiers the more ready to bring their Fellow Subjects into Slavery, that they might all be upon an equal Foot: For the same Purpose, they put the *Militia* under new Regulations, and into the Hands of Men, notorious for Animosity, against the Constitution in *Church* and *State*, or of so little Interest or Stake in their Country, that they might be depended upon, as proper Instruments to bring it into Subjection.

*The End of the First Volume.*







17.29.58, 31.

17.29.58, 31.







